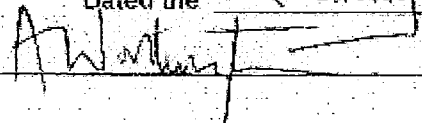


STATEMENT OF WITNESS

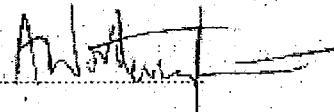
(Criminal Justice Act 1967, ss 2,9/M.C. Rules, 1968, r.58)

Statement of : Andy Worthington
Age of witness
(if over 18 enter 'over 18') : Over 18
Occupation of witness : Investigative journalist, writer and historian

This statement, consisting of 6 pages signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

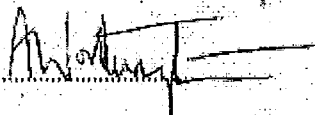
Dated the 12th February 2020
Signed 

1. I make this statement in relation to my recollection of the publication of documents in 2010 and 2011 by media across the world in conjunction with the organisation WikiLeaks. These are known as documents made available to WikiLeaks by then Pte. Manning, a serving US soldier. The circumstances of that disclosure have long been a matter of public knowledge and I understand form the basis of the current indictment that Julian Assange's extradition is sought by the USA. I have been shown that indictment and the supporting evidence and note references to and observe that Mr Assange is alleged to have been involved in the obtaining and publication of "Four nearly complete databases from departments and agencies of the United States" including 800 Guantanamo Bay Detainee Assessment briefs.

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2. It is in respect of the last, that I came to have particular dealings with the WikiLeaks Editor in Chief Julian Assange, WikiLeaks' media partners and with that material.
3. In the years preceding that specific contact I had been responsible for a significant amount of published research on Guantanamo Bay including "The Guantanamo Files: The Stories of the 774 Detainees in America's Illegal Prison" published by Pluto Press in 2007. I was approached by WikiLeaks in March 2011 on the basis that I was an expert on the history and the detail (as much as was publicly known) of the detentions at Guantanamo Bay and that WikiLeaks being in possession of files on that subject, wished to ensure that such publication as took place, was entered into in the best way, and was understood and interpreted by those who would be involved in its publication. (I should say WikiLeaks had earlier published Guantanamo leaks in the years before). I was in consequence asked to join what was publicly known to be an ongoing partnership between a number of well established news organisations. The understanding between WikiLeaks in particular in the person of Julian Assange and myself, was that the confidentiality of the files would be maintained unless and until it was understood and agreed what could and should be published as fully as possible, but without risking damage to persons who could not be protected.
4. I was contacted by Mr Assange at the very end of March 2011, and was provided with the files to consider and I was asked thereafter to take on the role with those media partners, including the New York Times and the Guardian, intended to be involved in future publication, to contribute to their understanding of the content and implications of the files working towards that publication. I met, together with Mr Assange, with journalists from the Telegraph newspaper in their offices to prepare the research for the publications; we were involved in joint meetings and discussions at the Telegraph offices regularly.

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5. The evidence that the files revealed was of extraordinary potential importance, the full implications of which are continuing to be properly understood even in 2020. In essence, an analysis of "detainee files" of almost all the 779 prisoners who had been held in Guantanamo compiled by the Joint Task Force responsible for running the prison (known as "detainee assessment briefs").
6. The Memoranda contained recommendations about whether the prisoners in question should continue to be held or should be released and contained a wealth of important and previously undisclosed information including health assessments for example and in the cases of the majority of the 172 prisoners still held in early 2011 photographs (the majority for the first time). Information on the first 201 prisoners released between 2002 and 2004 — unlike information on the rest of the prisoners (summaries of evidence and tribunal transcripts released as the result of a law suit filed by media groups in 2006 without the sources ever having been named) — had never been made public before. The majority of the new documents revealed accounts of incompetence, with innocent men detained by mistake, or because the US was offering substantial bounties to its allies for "Al Qaeda" or "Taliban" suspects.
7. The Memoranda, signed by the Commander of Guantanamo at the time, represented not only the opinions of the Joint Task Force at Guantanamo Bay, but also the Criminal Investigation Task Force created by the Department of Defence to conduct interrogations in the "War on Terror" and the behavioural science teams' reports — consisting of psychiatrists who had a major say in the "exploitation" of prisoners' interrogations.
8. Crucially, the files contained detailed explanations of the supposed intelligence used to justify the prisoners' detention. For the wider public as well as by informed analysts, these constituted the most important sections of the documents as they offered an extraordinary insight into the methodology of US intelligence on which the justifications for detentions was based. The documents showed that the testimony of witnesses was central to the justification for that

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detention; in the majority of cases the witnesses were the Guantanamo prisoners: fellow prisoners who had been subjected to torture or other forms of coercion either in Guantanamo or in secret prisons run by the CIA, or equally unreliable because fellow prisoners had provided false statements to secure better treatment in Guantanamo.

The "witnesses" whose claimed evidence, should have been regarded as not only untrustworthy, but evidencing the criminal use of torture, included Abu Zubaydah, seized in Pakistan in March 2002 who spent four and a half years in secret CIA prisons including facilities in Thailand and Poland. Subject to water boarding, a form of controlled drowning on 83 occasions in CIA custody in August 2002, Abu Zubaydah was moved to Guantanamo with 13 other "high value" detainees in September 2006. I am aware it is now a matter of public knowledge that the European Court of Human Rights awarded €100,000 compensation to be paid by Poland for its involvement in his detention (final judgment 16th February 2015). A further detainee was Ibn al-Shaykh al-Libi, captured in Afghanistan in 2011 and subject to rendition by the CIA to Egypt where under torture he falsely confessed that Al-Qaeda operatives had been meeting with Saddam Hussein to discuss obtaining chemical and biological weapons. Although this false confession was retracted by al-Libi, it was used nevertheless by the Bush administration to justify the invasion of Iraq in March 2003. This rendition and his treatment, was last year the subject of analysis by the UK Intelligence and Security Committee which referred to the knowing involvement in the witnessing of his removal from Bagram Airbase in a coffin box by MI6 and thereafter sending questions by MI5 and MI6 to those detaining and interrogating him first in Egypt and thereafter in other sites by the CIA. Similarly, the prisoner Nashiri who was tortured in Thailand in a CIA black site alongside Abu Zubaydah, succeeded in his case brought in the European Court of Human Rights utilising, inter alia, WikiLeaks Cablegate evidence of CIA rendition.

9. The reliance upon the testimony of these "witnesses" to justify the detention of many prisoners who continued to be held in Guantanamo, was of enormous

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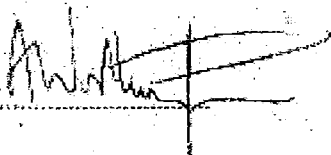


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importance. What I described at the time as "uncomfortable facts" such as these were never revealed in official deliberations but nevertheless were and continue to be crucial to understanding why what on the face of it appeared to be a collection of documents confirming the US governments' scaremongering rhetoric about Guantanamo – the same rhetoric that paralysed President Obama in his declared intention to close Guantanamo down – was in fact the opposite: the anatomy of a crime of colossal proportions perpetrated by the US government on the majority of the 779 prisoners held in Guantanamo.

10. One further matter of concern is that despite the publication of the material by media partners as well as WikiLeaks worldwide, it appears that the system of classification imposed within proceedings within Guantanamo, does not permit the attorneys of the prisoners involved to rely upon the files published by WikiLeaks and others.
11. I agreed to take part in the exercise not only because of its potential for the opportunity of analysing new and revealing material, but because I was satisfied that the arrangements for publication were professionally carried out and of newsworthy, legal and historical importance.
12. Despite the firm arrangements, and what I believe were the continuing responsible intentions of media partners towards the data, nevertheless two of the partners who had separately obtained the documents from another source moved towards publication at an earlier date than agreed and urgent steps were taken by WikiLeaks, Julian Assange the Telegraph and myself for a publication that could provide the material in the most responsible format. My understanding is, and can be confirmed, that the Telegraph published the data before it appeared on the WikiLeaks site.
13. I commented in the past on a disturbing additional factor, that within a week of the files being published, the US government publicised the killing of Osama Bin Laden; the official narrative that was then promulgated was that it was torture,

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(C.J. Act, 1967 s.9; M.C. Act 1980, s.102, M.C. Rules, 1981, r.70)

including torture in Guantanamo, that had led to the US being in a position to locate Bin Laden. Again as with so many narratives promulgated to deceive political or institutional imperatives of the time, this claim has subsequently also been found to be an untrue account of what in fact led to the discovery of Bin Laden's whereabouts.

14. The publication of the Detainee Assessment Briefs was of extraordinary journalistic importance, particularly in the insight they provided into the workings of US intelligence, by shining a light of truth on rendition and torture programs which the US had embarked upon during the "War on Terror".

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