By Martyn McLaughlin

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Saifullah Paracha has been held at Guantanamo since 2004 without charge.

The oldest prisoner in Guantánamo Bay has written to Nicola Sturgeon to demand she help “uncover the truth” of the CIA’s use of Scottish airports for so-called extraordinary rendition flights.

Saifullah Paracha, who has been detained at the prison facility in Cuba for nearly 16 years, said he was “shocked” to learn that a plane he was transported on may have refuelled in Scotland.
The 72-year-old has been held at Guantánamo since September 2004. He has never been charged with a crime during his time in custody, let alone stood trial, and human rights lawyers and academics claim a CIA jet he was flown on refuelled at Glasgow Airport.

Now, with his health failing after suffering two heart attacks, he has called on the first minister to press the UK government to ensure Police Scotland and the Crown Office gain access to a classified US report into the alleged practice.

However, the Scottish Government has said it would be “inappropriate” to do so, given a Police Scotland investigation is ongoing.

In an emotive letter, Paracha said it was vital to establish the “full truth” of what happened to him.

“After being detained without charge or trial for so long, one of my remaining wishes is that nothing like this happen to anyone else ever again,” he has written to Sturgeon. “I hope you and the Scottish people will play their part in this.”

It comes as a long-running investigation by Scottish authorities into the CIA’s use of Scottish airports - now in its seventh year - has been repeatedly thwarted by the US Senate’s refusal to pass on a classified report into the practice.

The 2014 report by the Senate Intelligence Committee into the rendition and “enhanced interrogation” programme run by George W Bush’s administration ran to 6,700 pages, but only a redacted 525 page excerpt was released.

Amid fears the existing copies could be destroyed by the Trump administration, Paracha has urged Sturgeon to intervene, pointing out that “only a fraction of the information” relating to his torture and rendition is available to Scottish authorities.
“The US government has yet to agree to disclose this to Scottish police, and it seems that the UK government has done little to ensure that this vital evidence is turned over,” he explained.

“Now, there is a real risk that President Trump will destroy all existing copies of the report, and that prosecutors in Scotland may make a decision without having all relevant evidence available to them.”

Paracha accused the UK government of having “not bothered” to ask the US to provide evidence, but said he hoped the SNP administration would act.

“While I have never been to Scotland, I understand that it is a country that believes in justice,” he told Sturgeon.

He added: “I hope you will call on the government in Westminster to ensure that evidence of torture complicity contained in the Senate torture report is provided to Scottish police, and that they and prosecutors can continue their investigation based on a complete reflection of existing evidence.”

Authorities in the US claimed Paracha had facilitated financial transactions for senior members of al Qaeda, and tried to help them smuggle explosives into the US. However, he has always maintained his innocence.

Katie Taylor, deputy director of Reprieve, the human rights charity which is campaigning for Paracha’s release and safe return to his family in Pakistan, said: “It is simply unacceptable that Westminster is stymying Police Scotland’s investigation.

“Boris Johnson’s government owes Scotland an explanation of why it will not ask the Trump administration for the evidence it is holding back.”
“The First Minister should tell Westminster to stand up to Trump, so that Police Scotland can finally get to the truth.”

Reprieve says Paracha was abducted in July 2003 in Thailand while on a business trip, before being put on a rendition plane to the US-run Bagram prison in Afghanistan.

The organisation claims he was held and tortured at the site for over a year, before being transferred to Guantánamo in September 2004.

It adds that the aircraft which took Paracha from Thailand to Afghanistan refuelled at Glasgow Airport before heading back to the US.

That claim was echoed in ‘CIA Torture Unredacted’, a comprehensive study published last year by the Rendition Project, a collaboration between academics at the University of Westminster, the University of Sheffield, and human rights organisations.

Citing sources including the Federal Aviation Administration and Eurocontrol, it states that the Gulfstream Jet stopped off in Glasgow on the morning 9 July 2003 from Baku in Azerbaijan, before flying out to Washington DC the following morning, and then on to Johnson County in North Carolina.

It is one of six flights at Glasgow identified in the Rendition Project report, along with nine flights at Prestwick,

Paracha’s lawyer, Mark Maher, said: “Saifullah was plunged into darkness 17 years ago when he was kidnapped by US forces and flown half way around the world hooded and in shackles.

“He is now an elderly man and worries he may die in detention at Guantánamo Bay. After
nearly two decades of abuse, getting real justice for Saifullah may be impossible, but releasing him would be a start.”

The ongoing investigation into the alleged use of Scottish airports by the CIA was launched in 2013 by the then Lord Advocate Frank Mulholland, who noted: “The use of torture cannot be condoned. It is against international law and contrary to the common law of Scotland.”

In 2018, his successor, James Wolffe said Police Scotland faced a “complex and challenging investigation, with evidence “having to be sought and obtained from countries outwith the United Kingdom, with a view to determining whether there is evidence of any potential offences over which Scotland has jurisdiction.”

Police Scotland submitted its report to the Crown Office last year. It is currently being considered by prosecutors.

The force’s chief superintendent Faroque Hussain said: “Specialist officers from Police Scotland’s organised crime and counter terrorism unit have gathered and analysed all the information made available to them and have submitted a report which is being considered by the Crown Office.”

A spokesman for the Crown Office said: “Information has been received from Police Scotland’s organised crime and counter-terrorism unit regarding rendition flights.

“This information is being considered by the Crown’s serious and organised crime unit.

“As this is a live investigation it would not be appropriate to comment further.”

A spokeswoman for the Scottish Government said justice secretary Humza Yousaf would respond to Paracha’s letter in “due course.”
She added: “Under the direction of the Lord Advocate, Police Scotland are currently investigating the alleged use of Scottish airports for extraordinary rendition flights.

“As the investigation is ongoing, it would be inappropriate for the Scottish Government to discuss this matter with the UK Government or to comment further at this stage.”