

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2012/10/25/majid-shoukat-khan>

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Majid Shoukat Khan is a Pakistani citizen who lived in the United States for several years. Born in 1980, he moved with his family to the Baltimore, Maryland area in 1996. His parents were granted asylum, and Khan lawfully stayed in the US, graduated from high school, and as a teen worked at his father's gas station. He traveled to Pakistan in 2002, married, and briefly returned to Baltimore where he worked as a database administrator for the Maryland state government. While visiting Pakistan again in March 2003, Khan was arrested by Pakistani agents along with his brother Mohammed and other family members.

The others were released within a month, but Khan was detained and later transferred to US custody where he was held in secret CIA detention for three and a half years. According to a 2007 leaked International Committee of the Red Cross report, during this time Khan was, among other things, held incommunicado, placed in prolonged stress positions, kept naked, and denied solid food. In 2006, he was transferred to [Guantanamo Bay](#) with 13 other high value detainees. During testimony at his Combatant Status Review Tribunal at Guantanamo in April 2007, he submitted a lengthy document, nine pages of which were classified, where he detailed what he experienced in [CIA](#) custody and Guantanamo treatment which he said drove him to twice attempt suicide by chewing through his own arteries.

Khan requested the testimony of his family at his tribunal, but they did not attend after being told their return to the US from Guantanamo would not be guaranteed. After being held for nine years without trial, Khan was finally charged in February 2012, pursuant to the Military Commissions Act, with conspiracy, murder in violation of the laws of war, material support for terrorism, and spying in connection with a series of post September 11, 2001 Al-Qaeda operations. Specifically, the charges alleged that Khan met with alleged 9/11 mastermind Khalid Sheikh Mohammed during his trips to Pakistan, used his experience working at his father's gas station to develop a plot to attack gas stations in the US, agreed to actively participate in a suicide assassination attempt against then-Pakistani president Pervez Musharraf, and conspired to transfer funds to support terrorist activity in the US and Indonesia.

Khan faced a potential life sentence but on February 29, 2012, he pleaded guilty as part of a pre-trial agreement. In exchange for the promise of a reduced sentence, he agreed to cooperate with the prosecution. His official sentencing will be delayed for four years to allow him time to cooperate. According to the pre-trial agreement, the jury will be instructed that Khan can receive no less than 25 years imprisonment and no more than 40. However, regardless of the sentence issued by the jury, the Convening Authority, who has authority to approve all sentences, will limit the sentence to no more than 19 years if Khan cooperates, and no more than 25 years if he does not. There is no parole under the Military Commissions Act. (Last updated May 12, 2012)

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