

# Human Rights First report documents deaths of Iraqis and Afghans in US custody

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A report issued Wednesday by Human Rights First (HRF) documents the deaths of 98 people while in US custody in Iraq and Afghanistan. The report gives details of some of the killings, putting names and faces on the victims of US imperialism. The HRF report, coming on the heels of the newly released Abu Ghraib photos, provides a devastating exposure of systematic torture, abuse and murder.

The 82-page report, entitled “Command’s Responsibility: Detainee Deaths in US Custody in Iraq and Afghanistan,” documents both US crimes and their official cover-up.

HRF lists 98 deaths in US custody since April 2002. “According to the US military’s own classifications,” the report finds, “34 of these cases are suspected or confirmed homicides; Human Rights First has identified another 11 in which the facts suggest death as a result of physical abuse or harsh conditions of detention. In close to half the deaths Human Rights First surveyed, the cause of death remains officially undetermined or unannounced. Overall, eight people in US custody were tortured to death.”

The report discusses the cover-up of these crimes by the US military and government authorities. It states that of the 34 homicides investigated by the military, “investigators recommended criminal charges in fewer than two thirds, and charges were actually brought (based on decisions made by command) in less than half. While the CIA has been implicated in several deaths, not one CIA agent has faced a criminal charge. Crucially, among the worst cases in this list—those of detainees tortured to death—only half have resulted in punishment; the steepest sentence for anyone involved in a torture-related death: five months in jail.”

In a press release announcing the report, Deborah Pearlstein, director of the US Law and Security Program at Human Rights First, said: “Looking closely at these cases, we found time and again badly flawed investigations, and a lack of command responsibility for what’s gone wrong—especially in those cases where victims were tortured to death. The result across the board has been to create a culture of impunity, where no one... is held fully accountable for detainee deaths.”

The report notes that “command responsibility itself—the law that requires commanders to be held liable for the unlawful acts of their subordinates about which they knew or should have known—has been all but forgotten.”

The key findings of the report include the following:

\* “Commanders have failed to report deaths of detainees in the

custody of their command, reported the deaths only after a period of days and sometimes weeks, or actively interfered in efforts to pursue investigations;

\* “Investigators have failed to interview key witnesses, collect useable evidence, or maintain evidence that could be used for any subsequent prosecution;

\* “Record keeping has been inadequate, further undermining chances for effective investigation or appropriate prosecution;

\* “Overlapping criminal and administrative investigations have compromised chances for accountability;

\* “Overly broad classification of information and other investigation restrictions have left CIA and Special Forces essentially immune from accountability;

\* “Agencies have failed to disclose critical information, including the cause or circumstance of death, in close to half the cases examined;

\* “Effective punishment has often been too little and too late.”

The undeniable conclusion that flows from these findings is that the US government and military have been deliberately abusing, torturing and killing detainees and carrying out a systematic cover-up, organized at the highest levels, of these war crimes.

The report includes a number of detailed case studies. The first, the case of Hamed Mowhoush, is particularly horrifying.

In the following excerpt from the report, Mohammed Mowhoush describes his final moments with his father, Hamed Mowhoush, who was murdered the following day by a member of the 3rd Armored Cavalry Regiment, based in Colorado Springs, Colorado.

*So then the interrogator came that used to interrogate [me] in the Baghdadi jail... He told me: “We are going to let you see your father.” Of course this was a point of relief. [Mohammed was taken by US forces to the facility where his father was held, the “Blacksmith Hotel”]. They took me to my father’s room. He was under very tight security. I looked in and I saw him. He looked completely drained and distraught and the impacts or signs of the torture were clear on him. His clothes were old and torn. He was really upset. When I first saw him I was overwhelmed and had a breakdown. I started crying and I embraced him and I told him: “Don’t worry. I am brave. I am going to be able to handle these circumstances like you taught me.”*

*At this instant the interrogator stormed in. He grabbed me and I tried to remain seated... So he threatened my father that if he didn’t speak he would turn me over to the men who interrogated my father and do to me what they did to him, or he would have me*

killed in an execution operation.

... So they took me to him and they said: "This is your son, we are going to execute him if you don't confess." My father didn't confess. One of them pulled me to a place where my father couldn't see. He pulled his gun, he took it out of the place where it was kept and he [fired a shot] into the sky. And he hit me a hit so that I would cry out. So, this moment there was at the place where I was, blood, I mean drops of blood. They [then] took [me] to the side and they brought my father and said: "This is your son's blood. We killed him. So, it is better for you to confess lest this happen to the rest of your sons." My father, when he saw the blood, he must have thought that I had been killed. At this moment, he fell to the ground.

The elder Mowhoush was held for eleven days and continuously beaten to the point of "massive" bruising and "five broken ribs." On the final day of his torture, according to the report, "Mowhoush was shoved head-first into the sleeping bag, wrapped with electrical cord, and rolled from his stomach to his back. [Chief Warrant Officer Lewis] Welshofer sat on Mowhoush's chest and blocked his nose and mouth." An autopsy conducted later confirmed that Mohammed Mowhoush's father died of "asphyxia due to smothering and chest compression."

The following day, the US military sent out a press release (#031127a) which stated the following: "Maj. Gen. Abed Hamed Mowhoush, of the Mahalowi tribe, an air defense general officer under the former regime, died this morning during an interview with US forces." "Mowhoush said he didn't feel well and subsequently lost consciousness.... According to the on-site surgeon it appeared Mowhoush died of natural causes."

Of the individuals involved in the torture and murder, Chief Warrant Officer Lewis Welshofer, the soldier who actually sat on Mowhoush's chest, was later convicted only of "negligent homicide and negligent dereliction of duty," even though he was originally charged with murder. The conviction could result in three or more years in prison, but Welshofer received only "a written reprimand, a \$6,000 fine, and 60 days with movement restricted to his home, base, and church."

Other individuals involved had charges against them dropped, or received punishment even less severe than Welshofer's.

The HRF report includes many such case studies, and in each, little or no punishment was meted out to the killers. In most cases, prosecution came only in response to the release of the Abu Ghraib photos.

Abdul Jameel, 47, was gagged, beaten, lifted from the floor by a baton at his throat, and then suspended from the top of his cell door until he died. Fashad Mohammed, 27, was snatched off the streets, hooded, and tortured to death.

Manadel al-Jamadi was stripped naked, hooded, tortured. His ribs were broken, and then he was shackled to a window in a bathroom in the horrible position known as "Palestinian hanging." When interrogators returned to cut the corpse down, "blood gushed from al-Jamadi's mouth... and his arms were almost coming out of their sockets." Later, his murderers posed for "thumbs up" photographs with the corpse.

Nagem Sodoon Hatab was kicked in the stomach by a gang of Marines until he developed severe diarrhea, after which he was

stripped, covered in his own feces, and dragged by the neck into an outdoor holding area, where he died naked under the blazing sun.

Abdul Wali was brutally beaten by an Army Ranger for three days until he died. Habibullah was captured by members of the 377th Military Police Company, and his captors practiced "peroneal strikes" on him—blunt strikes to a cluster of nerves on the side of the thigh—until Habibullah could no longer bend his knees. He was then chained to the ceiling and beaten to death.

Dilawar, a 122-pound, 22-year-old taxi driver from Afghanistan, was brought to the US military base at Bagram and abused by means of the same "peroneal strikes" inflicted on Habibullah. American soldiers found it amusing when Dilawar cried "Allah" when he was struck, so gangs of soldiers beat him regularly for amusement. He was forced into various stress positions, choked with his hood, and then suspended from the ceiling until he died.

Sajid Kadhim Bori al-Bawi, an actor, was at home with his family when US and Iraqi troops crashed through his house's front gate with a Humvee. His family was bound in the living room, while troops took al-Bawi into a bedroom, where they shot him five times. The troops then attempted to hide the body by stuffing it behind a refrigerator and under a mattress.

Obeed Hethere Radad was simply shot in his cell, and Mohammed Sayari was shot in the back while clutching prayer beads. Zaidoun Hassoun, a 19-year-old who had three weeks previously proposed to his fiancée, was forced to jump off a bridge and drowned.

As of this writing, there has been virtually no coverage of this report in the US media. This silence is consistent with the efforts of the major media outlets to minimize or censor outright exposures of US atrocities in Iraq, Afghanistan and elsewhere. Most recently, after one day the US media completely dropped all references to new photos and videos, suppressed by the US government, documenting sadistic torture at Abu Ghraib.

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