

# UN hearings probe Washington's systematic use of torture at home and abroad

By Tom Carter  
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A US delegation's claim that Washington is abiding by international treaties barring torture was met with open skepticism at a United Nations hearing held in Geneva.

US officials were grilled on Friday, May 5, and Monday, May 8, by members of the UN Committee Against Torture on the numerous reports of prisoner abuse, humiliation and murder. The 25-member US delegation, led by John Bellinger III, a US State Department lawyer, repeatedly denied that torture was an official policy or widely practiced by US intelligence agencies and armed forces.

In the face of the open skepticism of a member of the UN panel, Bellinger claimed that the Bush administration is "absolutely committed to uphold its national and international obligations to eradicate torture."

Asked about numerous reports of the use of "waterboarding"—suspending a prisoner upside-down on a board, wrapping his face in cellophane, and pouring water over him to induce the repeating involuntary gag reflex experienced in drowning—Bellinger categorically denied any official approval of the practice. "Water-boarding is not listed in the current Army field manual, and is therefore not allowed," Bellinger said.

The US delegation repeated the old lie that the incidents documented in the photographs that emerged from the US prison at Abu Ghraib in Iraq merely reflected the deeds of a few "bad apples," and did not flow directly from official government policy. This contention has recently been further discredited by the American Civil Liberties Union's (ACLU's) release of a document revealing that Lt. Gen. Ricardo Sanchez, then commander of US forces in Iraq, had ordered interrogators to "go to the outer limits" to "break" prisoners.

US Deputy Assistant Secretary of Defense Charles Stimson asserted that "these alleged violations were properly investigated and appropriate action taken." Of the 120 cases in which the Washington has officially admitted that prisoners died in its camps, Stimson claimed that most of these deaths were the fault of the victims themselves! They resulted, according to Stimson, from natural causes, injuries sustained while in combat against US troops, or violence by other prisoners.

Bellinger even accused the committee of blowing everything out of proportion. "While I am acutely aware of the innumerable allegations," Bellinger insisted, "I would ask you not to believe every allegation that you've heard. Allegations about US military or intelligence activities have become so hyperbolic as to be absurd."

At one point in the hearings, Bellinger attempted to halt the discussion by claiming that any examination of the situation inside the US detention camps would compromise America's national security. The chairman of the 10-member UN committee, Andreas

Mavrommatis, nipped this one in the bud: "If during intelligence activities there is a violation of the convention," Mavrommatis said, "it's our duty to investigate them and your duty to answer."

At another point, Bellinger tried to dismiss the allegations of secret renditions and "black sites" as "absurd." In response, Manfred Nowak said, "We have proof that [there are] people who are in the custody of the United States of America and nobody knows where they are. That is proof that there are secret places of detention, which means in human rights terms that these people are victims of enforced disappearances which is one of the most serious human rights violations."

The complicity of European governments in the "renditions" of prisoners to US-operated secret camps in eastern Europe and elsewhere was apparently not discussed.

The US delegation's defensive denials fly in the face of reality and come directly after the release of two detailed independent reports, one by Amnesty International (AI), the other by the ACLU, providing fresh evidence that torture and cruel, inhuman and degrading treatment of prisoners is commonplace not only at the US concentration camps scattered around the world, but also inside the US domestic prison system. Both reports establish not only complicity in these crimes by the very top levels of the government, but also direct oversight.

Contrary to the claims of Bellinger et al, there is nothing "hyperbolic" about this documentation (it deals with the cases of a small section of the 70,000 people believed to have been held in US concentration camps and "black sites" worldwide), and very few—if any—of the cases cited in the reports were "properly investigated" by the military brass.

The 363-page ACLU report, titled *Enduring Abuse: Torture and Cruel Treatment by the United States at Home and Abroad*, identifies a common thread between the prison system inside the US and the network of detention of camps abroad, and attributes responsibility for the widespread torture and abuse of prisoners directly to the highest-ranking officials in the Bush administration. The report also gives every indication that those interrogating the prisoners are operating under no legal or moral constraints whatsoever.

"The United States has failed to comply with its obligations under the Convention Against Torture at home and abroad," the report begins. "To justify torture and abuse in the 'global war on terrorism,' the government narrowly defined torture and argued that the prohibition against cruel, inhuman or degrading treatment does not apply outside the United States."

"Evidence from a range of sources, including over 100,000 government documents produced to the ACLU through Freedom of

Information Act ('FOIA') litigation, show a systemic pattern of torture and abuse of detainees in US custody. This abuse was the direct result of policies promulgated from high-level civilian and military leaders and the failure of these leaders to prevent torture and other cruel, inhuman or degrading treatment by subordinates. Detainees have been beaten; forced into painful stress positions; threatened with death; sexually humiliated; subjected to racial and religious insults; stripped naked; hooded and blindfolded; exposed to extreme heat and cold; denied food and water; deprived of sleep; isolated for prolonged periods; subjected to mock drownings; and intimidated by dogs" (ACLU 6).

The report covers US prison camps in Iraq, Afghanistan, and Cuba, in addition to the brutal conditions in America's own domestic penal system, which abandoned thousands of prisoners to Hurricane Katrina, executes juveniles, and is notorious for rape and sexual slavery, cruel forms of punishment and restraint, overcrowding, crooked legal proceedings, and grossly inadequate medical and psychiatric services.

The ACLU discovered that in building the vast network of prisons and concentration camps in Iraq, the Bush administration relied heavily on veteran administrators of the America's own prisons—many of whom have a very poor record. Among these administrators, the report finds, is "Terry Stewart, a previous head of the Arizona prison system, who was sued by the Department of Justice for the rape and sexual assault on female prisoners by correctional staff. Another official was Lane McCotter, who resigned as head of the Utah prison system while under fire because of the death of a mentally ill prisoner who had been held for sixteen hours in a restraint chair. Gary DeLand, who had also headed the Utah system, faced litigation for denying adequate medical care to prisoners" (ACLU 55).

A number of the soldiers charged in the torture at Abu Ghraib had been employed in the prison system in civilian life, the report noted.

The report includes a large number of important facts and individual case studies of prisoners in Iraq, Afghanistan, and Cuba, as well as New Orleans and Chicago, that provide a grim indication of the scope and brutality of the US institution of torture.

Among these cases is that of Albader al-Hazmi, who committed no crime and was being held as a "material witness" in the New York Metropolitan Detention Center. "I was searched naked many times, sometimes twice daily in front of many guards," he said. "The guards, they were enjoying searching us naked. When they felt like it they would beat us.... One of the guards said to me while beating me say thanks to Allah" (ACLU 71).

In a December 2001 case, Ahmed Agiza and Mohammed El Zery were arrested and handed over to US and Egyptian agents, who "beat them, stripped them both naked, rammed suppositories into their rectums, and dressed them in diapers and prison uniforms. Both men were then placed on an aircraft where they were drugged and chained spread-eagled to the floor of the aircraft for the duration of the eight-hour flight to Cairo. In Cairo, the men were transferred to the custody of Egyptian security police. Once in their custody, they were subject to lengthy interrogations. While being interrogated, they were subjected to torture and other inhumane treatment, including attachment of electric cables to their testicles, frequent beatings, and threats to their wives and families. They were held incommunicado and Egyptian officials denied their repeated requests to speak with a lawyer or family members" (ACLU 76).

In the US, a district court "dismissed a claim by two female

prisoners that they were strip searched by male guards because they did not explicitly claim physical injury. (One of the women had subsequently attempted suicide as a result of the strip search and had to have her stomach pumped)" (ACLU 90).

The following paragraph is included in the autopsy report on Nagem Sudun Hatab, who was beaten and strangled to death by US soldiers in Iraq:

"Evidence of recently fractured hyoid bone in the neck and soft tissue hemorrhage extending downward to the level of the right thyroid cartilage. Autopsy revealed bone fracture, rib fractures, contusions in mid abdomen, back and buttocks extending to the left flank, abrasions on lateral buttocks. Contusions on back of legs and knees; abrasions on knees, left fingers and encircling to left wrist. Lacerations and superficial cuts, right 4th and 5th fingers. Also, blunt force injuries, predominantly recent contusions (bruises) on the torso and lower extremities. Abrasions on left wrist are consistent with use of restraints. No evidence of defense injuries or natural disease. Manner of death is homicide."

In another account included in the ACLU document, a Guantánamo prisoner interviewed by the FBI in April 2003 said that "a female interrogator, after not getting cooperation from him, called four guards into the room. While the guards held him, she removed her blouse, embraced the detainee from behind and put her hand on his genitals. The interrogator was on her menstrual period and she wiped blood from her body on his face and head (ACLU 43)."

The 164-page Amnesty International report, titled *Guantánamo and Beyond: The Continuing Pursuit of Unchecked Executive Power*, was no less damning.

"This is an administration," the report finds, "that has sought unchecked power throughout the 'war on terror' and shown a chilling disregard for international law. The USA's policies and practices have led to serious human rights violations and have set a dangerous precedent internationally" (AI 4).

"In this report, illustrated with cases throughout, Amnesty International concludes that hypocrisy, an overarching war mentality, and a disregard for basic human rights principles and international legal obligations continue to mark the USA's "war on terror." Serious human rights violations, affecting thousands of detainees and their families, have been the result" (AI 8).

Whether it is the federal lockups in New York City, the detention camp at Guantánamo or the Abu Ghraib prison, one finds the same chilling but familiar hallmarks of a depraved militaristic culture—humiliation, the use of dogs, the obsession with keeping the victims naked, rape, hoods, monstrous jokes, sado-pornographic photographs, and the total and absolute disregard for and even ignorance of the humanity of the victims. This is the true face of the so-called "war on terror," which is being carried out with the full support of both of America's big-business parties.

The UN Committee Against Torture has no power to enforce any penalties or conduct any inspections. Each of the 141 signatories of the 1984 Convention Against Torture take turns appearing before the Committee.

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