

Amnesty International report denounces US treatment of war prisoners

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A recent report by Amnesty International (AI) warns that the Bush administration is repudiating basic democratic rights and undermining the entire post-World War II system of international humanitarian law.

The 60-page document, which exposes US torture of those captured in the “war on terror”, is entitled *The threat of a bad example: undermining international standards*. It details the US government’s treatment of foreign war prisoners held without charge and denied access to their families and legal counsel for almost two years in Guantanamo Bay, Cuba and Bagram US Air Base, Afghanistan.

AI quotes the US president and other high-level government officials, including the secretary of state, condemning the use of torture by various countries and proclaiming America as the world’s foremost proponent of human rights. These comments are juxtaposed against current examples of US-inflicted torture.

“Allegations of abuses such as arbitrary arrests, prolonged incommunicado detention, ill-treatment, interrogations without legal counsel and threats of unfair trials by military bodies are raised each year in the US State Department’s reports on human rights practices in other countries,” the report states. “Now they are being made against the US government in the context of its ‘war on terror’.”

AI interviewed some of the handful of prisoners released from US military detention, establishing that those held at Guantanamo Bay, Bagram Air Base and other locations are regularly being tortured with “stress and duress” techniques.

Detailing the methods used, the AI report says: “Colonel Roger King, the chief US military spokesman in Bagram, confirmed that ‘we do force people to stand for an extended period of time... Disruption of sleep has been reported as an effective way of reducing people’s inhibition about talking or their resistance to questioning.’ He was reported as saying that a ‘common technique’ was to maintain 24-hour illumination in cells or to wake inmates up every 15 minutes to disorient them. Forced standing, he said, could also be used to punish any inmate who spoke to another.... Lt. Gen. Daniel K. McNeill, Commander of Joint Task Force 180 in

Afghanistan, also acknowledged that prisoners had been subjected to forced prolonged standing in Bagram.”

Those detained at Guantanamo Bay are subject to President Bush’s Military Order enacted following the September 11 terrorist attacks on the US. It renders them eligible for trial by military commission. Under this order anyone who is not a US citizen can be arrested, held incommunicado and even executed in secrecy without recourse to due process of law. These methods are no different from those used by military dictatorships in Argentina, Chile, Peru and other Latin American countries during the 1970s and 80s.

AI notes the discrimination between US nationals and others, with only non-US citizens subject to the Military Order. It also records, however, that US citizens are not immune from arbitrary and inhumane treatment. The Bush administration has no hesitation in eliminating anyone it regards as standing in its way. For example, a CIA-controlled Predator unmanned aerial vehicle summarily executed a US citizen in November 2002 in Yemen.

The report refers to “irregular rendition”—a technique employed by the US government to avoid normal channels of extradition between countries. This involves the kidnapping of individual suspects by foreign military and police authorities, working under US direction, and moving them to third countries for torture.

Using this method, men deemed as terrorists by US authorities have been picked off the streets in Pakistan, Afghanistan, Malawi and other countries, held incommunicado and tortured. The “lucky” ones are released days, weeks or months later. No charges are laid or trial held. Others kidnapped in this way have been transported by the US military to Guantanamo Bay, Bagram or other undisclosed locations, including Zimbabwe, Morocco, Jordan or Egypt, where they are being held without charge.

Demolishing Bush administration claims that those held in Guantanamo Bay were “illegal combatants” captured “on the battlefield aiding and abetting the Taliban”, AI cited several cases of men captured outside Afghanistan but

“rendered” to Guantanamo Bay. This included six Algerian men in Bosnia-Herzegovina who were handed over to US authorities in January 2002 by Bosnian police and two men arrested in Gambia, and secretly transferred to Bagram then Guantanamo.

Another prisoner, Moazzam Begg, a dual UK/Pakistani national, one of many seized in Pakistan, was transported in the boot of a car to Kandahar and then Bagram before being flown, bound and gagged to Guantanamo Bay. He wrote to his father, “I have not seen the sun for over seven months except once, for around two minutes.” Begg is one of the first six Guantanamo Bay prisoners who could be brought before a US military tribunal.

Another well-documented example is the case of Sayed Abassin, a 28-year-old taxi driver detained en route from Kabul to Khost in April 2002. Although authorities were actually after one of Abassin’s passengers, the taxi-driver was handed over to the US military and flown to Bagram Air Base.

Amnesty International reports that Abassin was held in handcuffs and shackles, kept under 24-hour lighting and constantly woken by guards when he attempted to sleep during the first week. He was interrogated six or seven times, not given enough food or allowed to talk to, or look at, other detainees, and forced to stand or kneel for hours. Abassin said he was blindfolded and hooded, with his ears covered, and his hands and feet bound during his transfer to the US base in Kandahar. He said that if detainees looked at US soldiers’ faces they were made to kneel for an hour. If they looked twice, they were made to kneel for two hours.

Abassin told the human rights organisation that he was interrogated five or six times in Kandahar before being transferred to Guantanamo Bay. On arrival he was grilled 10 or more times in the first few weeks after his arrival and then held for another 10 months without any interrogations before being released.

As the AI report makes clear, the Bush administration is using the “war on terrorism” to repudiate the US Constitution and numerous Geneva Conventions.

The first Convention, which was inspired by Henri Dunant, founder of the International Red Cross, was signed in 1864 to protect the sick and wounded in wartime. Others were adopted in the late nineteenth and twentieth centuries to deal with chemical and biological warfare and for the humane treatment of prisoners of war. The four Geneva Conventions enacted in 1949, following WWII, underlie current international law on the appropriate conduct of wars, including civil wars, and the treatment of prisoners.

Now in the early days of the twenty-first century, the US government has abandoned its democratic traditions at home and abroad and repudiated in practice (if not in words) the

international laws that enshrine the most rudimentary principles of fairness and justice.

Although AI investigators were unable to determine how many children are imprisoned in Guantanamo Bay, they extracted a statement from Paul Butler, US deputy assistant secretary of defence, who admitted that the military was holding a “very small number” of detainees under the age of 16. He claimed it was “difficult to determine the exact age for the detainees, as birth records are not readily available”.

AI also cites General Richard B. Myers, Chairman of the Joint Chiefs of Staff, who “justifies” this violation of basic rights by declaring, without any evidence, that the children were terrorists. “Despite their age, these are very, very dangerous people,” Myers declared. “They may be juveniles, but they’re not on a little-league team... they’re on a major league team, and it’s a terrorist team.”

Irrespective of the precise age of the children or the allegations against them, it is a criminal offence under international law and the various human rights protocols to hold anyone under the age of 18 as a war prisoner. The US is a signatory to 17 protocols adopted by the Geneva Convention in 1949 to protect children in war zones and other measures established under the United Nations Convention of the Rights of the Child.

In highlighting the US government’s turn to arbitrary executive power, the AI report quotes a former judge on the Superior Court of New Jersey: “The very core of American history, law and culture condemns the ideas of punishment before trial, denial of due process and secret government by fiat. Who is an enemy combatant? Today, it can be anyone the president wants. And that is terrifying.”

While Amnesty International provides no analysis of the political character of the Bush administration and urges the regime to reform its ways, the report is valuable in that it documents the extent to which Washington is tearing up basic human rights. It calls on the US government to drop its plans for military tribunals, to charge and provide a fair trial to the war prisoners or release them, and to give the human rights body access to detainees and officials at Bagram and Guantanamo Bay.



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