

# What the record shows: hypocrisy and lies over US torture of Iraqis

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12 May 2004

Recent days have seen a steady stream of reports that utterly discredit claims by US officials that the torture of Iraqi prisoners by US forces was an exceptional event, carried out by a few rogue soldiers. What has emerged is a clear picture of a methodical, longstanding practice of abusing and torturing Iraqi detainees for purposes of interrogation and intimidation.

The revelations of warnings from the International Committee of the Red Cross (ICRC) to the Bush administration have been particularly damning. According to a May 7 article in the *Wall Street Journal*, the ICRC was in continual contact with US authorities in May-November 2003 as it prepared its report on American abuse of Iraqi prisoners for the US government. The abuses reported by the ICRC date from the time US forces took control of Iraq in the spring of 2003.

The ICRC found that “prisoners were kept naked in empty cells [...] male prisoners were forced to wear women’s underwear [...] prisoners were beaten by coalition forces, in one case leading to death [...] coalition forces fired on unarmed prisoners multiple times from watch towers, killing some of them.”

A May 11 article in the *Los Angeles Times* exposed other methods of torture used by US forces: deliberately inflicting massive and severe burns, the use of electric shocks, and threatening detainees’ female relatives with rape. The *Times* article also revealed that the ICRC considers that between 70 and 90 percent of Iraqis seized and held by US forces are wrongly detained.

These findings match other publicly available reports, including a US Army report by Major General Antonio Taguba (<http://www.antiwar.com/article.php?articleid=2479>), which cites, among its findings, the rape of female Iraqi detainees by US soldiers; and Amnesty International’s (AI) report (<http://news.amnesty.org/mav/index/ENGAMR510772004>, and <http://web.amnesty.org/library/index/engmde140972003>, in which the organization documents US torture and humiliation of Iraqi prisoners in April 2003.

Despite the pose of shock and disbelief struck by the US government and media, there is voluminous evidence that the US ruling elite embarked on a deliberate policy of war crimes and torture, beginning with its invasion of Afghanistan in the fall and winter of 2001.

## Torture and atrocities in the invasion of Afghanistan

The Bush administration carried out its first major documented atrocity against prisoners of war during the toppling of the Taliban regime in Afghanistan. As Afghan Northern Alliance forces allied with the US converged on the city of Kunduz, Afghan commanders announced on November 19 that they were considering issuing safety guarantees to foreign Taliban fighters who would surrender to them. US Defense Secretary Donald Rumsfeld immediately stated that he did not want such an agreement to be negotiated.

In the week before the surrender of Kunduz, Rumsfeld made it clear that

he preferred an outcome where all the Taliban soldiers were slaughtered, saying that the US was “not inclined to negotiate surrenders,” although he hoped that Al Qaeda forces would “either be killed or taken prisoner.”

On November 21, 2001, when asked whether he would prefer that Osama bin Laden be killed rather than captured, Rumsfeld responded, “You bet your life.” As the British newspaper *Observer* commented, “Until the circumstances are investigated, the suspicion will remain that the US is pursuing a policy of capital punishment without trial.”

Upon their surrender in Kunduz, the non-Afghan Taliban were taken to the Qala-i-Janghi fortress in Mazar-i-Sharif under the guard of Uzbek warlord Rashid Dostum’s forces. There they revolted against US interrogators who taunted them, beat them, and threatened them with death. In response, US Special Forces on the ground called in and coordinated air strikes and tank assaults against the prisoners, killing some 800. Captured on camera by US and German film crews, this atrocity was eventually the subject of an August 2002 CNN documentary. (See <http://www.wsws.org/articles/2001/nov2001/afgh-n27.shtml> and <http://www.cnn.com/TRANSCRIPTS/0208/03/cp.00.html>)

After the bombing ended, US Special Forces and Dostum’s troops herded 3,000 surviving prisoners into sealed metal containers and drove them for 20 hours to Sheberghan prison. Most of the prisoners suffocated along the way. When the convoy arrived at its destination, the containers were emptied and the prisoners who had survived the journey were shot. Their remains were buried in a mass grave. This atrocity was exposed by Irish filmmaker Jamie Doran in his movie, *Afghan Massacre—Convoy of Death* (See <http://www.acftv.net>).

One survivor of this mass killing was the “American Taliban” John Walker Lindh, whom US forces separated from the other prisoners after the bombing of the Qala-i-Janghi fortress. Lindh was tortured by US forces—a bullet wound was deliberately left untreated, and he was placed naked in a noisy, freezing metal container for days.

After Lindh signed a waiver of his constitutional rights, FBI interrogators extorted a confession from him. He was subsequently transferred to the USS Peleliu, where he received medical care. (See <http://www.wsws.org/articles/2002/jun2002/lind-j25.shtml>) This confession, extracted under torture and only informally summarized by FBI interrogators, was the main evidence used by American prosecutors to try Lindh and send him to prison for 20 years.

## Bush administration disavows the Geneva Convention

The massacre of Kunduz prisoners took place in an atmosphere of general lawlessness on the part of US armed forces, publicly and openly promoted by Rumsfeld and other prominent members of the Bush administration. Asked about conditions facing Taliban and allied fighters

captured by US forces or their proxies, Rumsfeld replied: "I do not feel even the slightest concern about their treatment."

Senior officials of the Bush administration—including, besides Rumsfeld, Vice President Cheney, Attorney General Ashcroft, and President Bush—adopted the term "illegal combatant," as opposed to "prisoner of war" (POW), to designate forces captured by the US military in Afghanistan. The purpose of this word-juggling was to deny captured fighters the protections and legal rights afforded to POWs under the Geneva Conventions. The US is a signatory to the Geneva Convention on the treatment of POWs, which was adopted in 1949; this means its provisions have the status of US law, and their violation is a crime.

In the wake of the revelations of torture in Iraq, US officials have insisted that such practices are aberrations that violate official American policy. But the earlier repudiation of the Geneva Conventions exposes such claims as lies. Why would Rumsfeld, Bush, Cheney and company declare that the US was not bound in relation to Afghanistan and the so-called "war on terror" by the Conventions covering the treatment of captured fighters, if it was not their deliberate intention to subject captured forces to measures explicitly outlawed by the Conventions—measures that are defined by the Conventions as war crimes? To ask the question is to answer it.

### **An American concentration camp: Guantanamo Bay**

Hundreds of people captured during the Afghan war—many having little or nothing to do with either the Taliban or Al Qaeda—were transported, hooded and shackled, to the US Naval Base at Guantanamo Bay, Cuba. At the time, the international and US press carried grisly photos of groups of such prisoners being transported to the new US prison camp.

Prisoners at Guantanamo are kept in tiny metal crates with steel mesh walls. British prisoners released from the camps have described a regimen of beatings, death threats, rotten food, dirty water, and psychological torture

(see

<http://www.wsbs.org/articles/2004/mar2004/guan-m19.shtml>). Human rights organizations have repeatedly condemned these conditions (AI's report is at <http://web.amnesty.org/pages/guantanamobay-index-eng>).

The Bush administration claims the right to keep Guantanamo Bay detainees indefinitely without trial, citing the need to interrogate them for possible links to Al Qaeda. In July 2002, US Judge Colleen Kollar-Kotelly ruled that US legal protections do not apply to the prisoners, claiming that although they are being held at a US naval base, they are not in US territory.

The Guantanamo Bay detentions are in complete violation of the Geneva Conventions (see Convention III at <http://www.genevaconventions.org/>) on the treatment of prisoners of war. Beatings and sexual humiliation violate articles 13 and 14. Interrogations seeking more information from a detainee than his name, rank, and serial number violate article 17. Conditions in the camps—detainees wearing prison clothing, close confinement of detainees, denial of substantial physical and mental exercise for detainees, and serving rotten food to detainees—violate articles 18, 21, 26, and 28. Claiming the right to keep inmates in the camp indefinitely violates article 118, which states that detainees must be returned to their country at the end of hostilities.

Article 4 of the convention grants prisoner of war status to members of a "militia or volunteer corps" such as the Taliban, civilians accompanying such forces, and inhabitants of a territory who spontaneously take up arms to resist a foreign occupation force, amongst others.

In violation of a Geneva Convention provision that POW status can be

denied only on the basis of a ruling by a competent tribunal, top US officials gave themselves the right to deny the detainees POW status. Rumsfeld told reporters: "They are not POWs. They will not be determined to be POWs. [...] There is no ambiguity in this case."

The International Committee of the Red Cross and human rights organizations such as Amnesty International and Human Rights Watch publicly denounced Washington's flaunting of the Geneva Conventions and declared that the US government had no legal basis for its position. They insisted that all fighters captured in Afghanistan were subject to the mandatory protections afforded to POWs under the Conventions.

But the Bush administration's trashing of international law met with no serious opposition from the Democratic Party or the US media.

Although the conditions at Guantanamo Bay are illegal regardless of the relations between the detainees and Al Qaeda, it is important to note that many of the inmates of the camps have no ties with the organization. The *Los Angeles Times* reported in January 2003 that at least 10 percent of the detainees had no connection to the Taliban or Al Qaeda (See <http://www.wsbs.org/articles/2003/jan2003/guan-j03.shtml>).

A May 9, 2004 *Washington Post* article, "Pentagon Approved Tougher Interrogations," reveals that US Defense Department lawyers drew up a legal framework for the use of torture by the US military at Guantanamo Bay. "We wanted to find a legal way to jack up the pressure," explained one of the lawyers.

Although the newspaper does not list what methods were approved, they included sleep deprivation, exposure to extreme heat and cold, and stripping detainees of their clothing, according to "two defense officials" interviewed by the newspaper. The framework was drawn up at the request of officials at the Guantanamo Bay camps over three months, starting in late 2002. The *Post* also reveals that some of these techniques required notifying senior officials at the Pentagon, including Defense Secretary Rumsfeld.

### **"Rendition"—US government subcontracts torture**

As part of the "war on terror," US government agencies such as the CIA have been routinely transferring suspected "terrorists" to the intelligence services of other governments, such as Egypt, Jordan, Saudi Arabia and Syria, which are well known to use the full gamut of torture techniques to extract confessions.

A March 11, 2002 *Washington Post* article reported: "Since September 11, the US government has secretly transported dozens of people suspected of links to terrorists to countries other than the United States, bypassing extradition procedures and legal formalities, according to US officials, Egyptian lawyers, and human rights groups. ... [There] they can be subjected to interrogation tactics—including torture and threats to families—that are illegal in the United States. ... US intelligence agents remain closely involved in the interrogation." (See <http://www.wsbs.org/articles/2002/mar2002/cia-m20.shtml>)

US intelligence forces have abducted their victims from dozens of countries throughout the world—Yugoslavia, Pakistan, Indonesia, Azerbaijan, Albania, Nigeria, the Philippines, Kenya, and South Africa. The *Post* noted: "The details of most of these operations, which often ignored local and international extradition laws, remain closely guarded."

These transfers have been largely hushed up by the mainstream media, but at least one such case of "rendition" attracted attention, as it involved a Canadian citizen of Syrian descent, Maher Arar. (See <http://www.wsbs.org/articles/2003/nov2003/arar-n18.shtml>) Acting upon totally unsubstantiated claims that Arar worked with Al Qaeda, US officials transferred him to Syria for interrogation. He suffered repeated

beatings and torture with electric shocks. A US official interviewed by the *Washington Post* on the subject said: “Someone might be able to get information we can’t from detainees. We don’t kick the sh\_t out of them. We send them to other countries so they can kick the sh\_t out of them.”

### How the US media lobbied for torture

Although the shocked tones of today’s media might make one forget, in the immediate aftermath of the September 11, 2001 terrorist attacks there were repeated calls in the US media for sanctioning the torture of alleged terrorist prisoners. Indeed, these articles explicitly approved many of the forms of torture described in this article.

In the November 5, 2001 issue of *Newsweek*, senior editor Jonathan Alter penned a piece entitled “Time to Think about Torture.” After expressing at length and in some detail his support for psychological torture, he concluded: “We can’t legalize torture; it’s contrary to American values. But as we continue to speak out against human-rights abuses around the world, we need to keep an open mind about certain measures [...] like court-sanctioned psychological interrogation. And we’ll have to think about transferring some suspects to our less squeamish allies, even if that’s hypocritical.”

The November 5, 2001 *New York Times* carried an article by Jim Rutenberg, headlined “Torture seeps into discussion by news media.” It gave a long list of pro-torture features that had appeared in media outlets, such as television networks CNN and Fox, the *Wall Street Journal*, and the online magazine *Slate*. However, perhaps the most chilling commentary on the toxic moral state of the corporate media came from Jim Murphy, executive producer of CBS’ “Evening News with Dan Rather.” Murphy explained that CBS News wasn’t covering the torture debate because he didn’t think it was news; rather it was a sort of relaxed theorizing. He explained: “It’s like the conversation you or I would have at dinner: ‘I wonder if we should torture?’”

The US ruling elite was so taken by its fascination with torture that prominent civil rights lawyer and Harvard law professor Alan Dershowitz proposed issuing “torture warrants” to “regulate” the use of torture by US officials. He justified the idea by noting that “Every democracy, including our own, has employed torture outside of the law.” Articles by Dershowitz supporting this plan appeared on November 8, 2001 in the *Los Angeles Times* and on January 22, 2002 in the *San Francisco Chronicle*.

The present pose of horror adopted by US media and government officials with regard to revelations of torture by US forces in Iraq is a sordid farce. It is designed to cover up the direct connection between the invasions of Afghanistan and Iraq and the so-called “war on terror,” and the commission of war crimes abroad and trashing of democratic rights at home. The fact that such a charade is considered necessary is a devastating exposure of the claims that the Bush administration’s campaign to dominate the Middle East enjoys widespread support in the US population.

In the face of this barrage of lies, one must reiterate a fundamental truth: the use of torture in US-occupied Afghanistan and Iraq is the direct consequence of the decision to launch illegal, colonialist wars of plunder. US forces sought to break the Iraqi army’s will to fight the March 2003 invasion with an overwhelming “shock and awe” bombing campaign; now, faced with the resistance of the Iraqi people to American occupation, the US government employs torture as a means of breaking their will to resist.

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