

Amnesty International report highlights human rights abuses in “war on terror”

Joseph Kay**3 June 2004**

The human rights organization Amnesty International published its annual report on May 26, covering developments that occurred in 2003. Though the 339-page report covers countries around the world and cites many different types of human rights violations, its most significant part outlines the violations of democratic rights implemented by the United States and other countries in the name of a war on terrorism.

The report also refers to human rights violations related to the American-led wars against Iraq and Afghanistan, including the torture of prisoners. By bringing together related developments in many countries, it highlights the extent to which the most basic democratic rights are under attack. (The report can be accessed on the Internet at <http://web.amnesty.org/report2004/index-eng>.)

In a statement summarizing the organization's findings, Amnesty International Secretary General Irene Khan noted that the Bush administration's policy of “violating rights at home, turning a blind eye to abuses abroad, and using pre-emptive military force where and when it chooses” has “damaged justice and freedom, and made the world a more dangerous place.” At a news conference, Khan stated, “Not since the Universal Declaration of Human Rights was adopted in 1948 has there been such a sustained attack on [its] values and principles.”

In the United States, the report noted that many basic democratic rights—such as the right to a fair trial, the right of the accused to a lawyer and the presumption of innocence—were under attack. It noted, “Hundreds of foreign nationals remained in prolonged indefinite detention, without charge or trial in US custody outside the US mainland. Most of those detained as so-called ‘enemy combatants’ were held without any form of judicial process.... Many of the measures taken by the US authorities in the wake of the 11 September 2001 attacks undermined the fabric of international law. Other aspects of US security policy, including the threat in July to cut

off military aid to 35 countries for refusing to guarantee US nationals immunity before the International Criminal Court, threatened to have a similarly corrosive effect on the international rule of law.”

The report notes that those held at the US-run Guantanamo Bay prison complex in Cuba include children as young as 13 years old. “None of the detainees were charged, tried, or given access to lawyers, relatives or the courts.” The US is also maintaining prison complexes in Afghanistan and Iraq. The Amnesty report repeats earlier evidence that many prisoners in Afghanistan and Guantanamo Bay are tortured and mistreated, including “prolonged enforced standing and kneeling, sleep deprivation and the cruel use of shackles.”

In Iraq, Amnesty notes that an unknown number of civilians have been killed as a result of the US-led war and the occupation. It cites, in particular, the US actions that led to the death of 7 demonstrators in Mosul on April 15 and 15 demonstrators—including children—in Fallujah on April 29. A supplementary report cites the massive evidence revealed last month of US torture of Iraqi prisoners.

In addition to prisoners held by the US in the wake of its wars against Afghanistan and Iraq, the past years have also seen a steady erosion of the rights of prisoners captured and held in the United States. Hundreds of foreign nationals were detained and deported following September 11, 2001, even though there was no evidence linking any of them to the terrorist attacks. In addition, US citizens Yaser Esam Hamdi and Jose Padilla continued to be held by the military without charge as so-called “enemy combatants.”

The report refers to other violations of human rights by the American government, including the blanket detention of Haitian asylum-seekers, the ill-treatment of American prisoners, the excessive use of force by US police, and the use of the death penalty. It notes, “In 2003, 65 people

were executed, bringing to 885 the total number of prisoners put to death since the US Supreme Court lifted a moratorium on executions in 1976.” The US stood in “shameful isolation” for its policy of executing individuals who had committed their crimes while minors.

Amnesty also reveals how governments in Europe, Asia, the Middle East and South America have seized on the “war on terror” to justify increased repression and attacks on democratic rights.

In Asia, “the belief of several governments that human rights could be curtailed under the ‘war on terror’ was particularly apparent in China, India, Malaysia, Pakistan and Thailand. Hundreds of people suspected of ‘terrorism’ found themselves condemned to legal black holes as authorities ignored national and international legal frameworks.” The government of Pakistan, which has collaborated with the US in its actions in Afghanistan, handed over hundreds of people to the United States. Many of these detainees were sent to Guantanamo Bay.

In India, the Hindu-chauvinist government detained hundreds of Muslims in the state of Gujarat on allegations of terrorism and anti-state conspiracies. In 2002, Gujarat experienced riots—led by Hindu fundamentalists and facilitated by the state government—that resulted in the murder of hundreds of Muslims. China continued its suppression of the predominantly Muslim Uighur community, thousands of whom “were detained or imprisoned as ‘separatists, terrorists and religious extremists.’”

In Australia, a law was enacted in June that gave the government the power “to detain people suspected of having information about ‘terrorist’ offences for seven days before being brought before a court. There was no requirement that relatives be informed of the whereabouts of detainees during this time.”

Similar developments occurred in Europe. In the United Kingdom, 14 foreign nationals continued to be detained under the Anti-terrorism, Crime and Security Act of 2001 (ATCSA). “Proceedings under the ATCSA fell far short of international fair trial standards, including the right to the presumption of innocence, the right to a defense and the right to counsel. There was also grave concern at the reliance on secret evidence and at the executive’s and judiciary’s willingness to rely on evidence extracted under torture.”

In France, new legislation on internal security increased the powers of police officers to question ordinary civilians engaged in activities such as gathering in public. In 2003, a law was proposed that was passed in 2004 banning the

wearing of Muslim headscarves in schools—a violation of democratic rights purportedly enacted to combat Islamic extremism. Since September 11, Spain has enacted legislation giving the government increased powers in its war against Basque separatists, also under the name of “anti-terrorism.” Many detainees held under this legislation have complained of torture and ill-treatment. In Germany—as in the United States and other countries—a debate has begun in political circles over the possible justification of torture under certain conditions.

In the Middle East, “the so-called ‘war on terror’ continued to erode fundamental human rights.... Members of the League of Arab States continued to implement the Arab Convention on the Suppression of Terrorism which contained few human rights safeguards. This, as well as a range of bilateral security arrangement, facilitated the transfer of individuals between states and in and outside the region without judicial proceedings, legal counsel or recourse to asylum procedures.... The ‘war on terror’ was used as a pretext to legitimize existing practices, such as long-term administrative detention and unfair trials by special courts whose procedures fall far short of international standards. Other states, such as Morocco and Tunisia, introduced “anti-terrorism” laws during the year, which posed a further threat to basic human rights.”

The Israeli government has escalated its attacks on the Palestinian population. The report notes that many of Israel’s actions—including the torture of prisoners, the use of Palestinians as human shields, obstruction of medical assistance to the wounded and the wide-scale practice of home demolition—constituted war crimes.

This partial list of developments during 2003 is an indication of the extent to which basic democratic rights are being eroded around the world, stimulated above all by US actions at home and abroad. It makes a mockery of Bush administration claims that it is waging a battle for democracy and freedom. Instead, the actions of the US government have become a model of anti-democratic legislation and actions around the world.



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