

# Rights group urges prosecution of Bush officials responsible for Iraq torture

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Human Rights Watch (HRW), in its annual world survey released January 13, sharply criticized the US government for its record of torture and mistreatment in Iraq, Afghanistan and Guantánamo and called for the prosecution of those high-level officials in the Bush administration responsible for the abuse.

The survey describes the US use of “‘coercive interrogation’—its acceptance and deployment of torture and other cruel, inhuman, or degrading treatment” as “deliberate,” “systematic” and “continuing.”

The rights group, based in New York, argues that the “worldwide system for protecting human rights was significantly lowered in 2004” by ethnic cleansing in Sudan and by the Abu Ghraib prison scandal.

HRW describes the US government’s abuse of prisoners in Iraq and elsewhere as having “weakened a pillar of international human rights law—the requirement that governments should never subject detainees to torture or other mistreatment, even in the face of war or other serious threat.” The Bush administration, according to HRW, has treated this “cornerstone obligation as a matter of choice, not duty.”

At a Washington news conference held to publicize the release of the survey, HRW executive director Kenneth Roth rejected the ongoing prosecution of troops accused of abusing Iraqi prisoners, such as Army Spc. Charles Graner, saying blame for the abuse and torture goes beyond the low-level military personnel and reaches to top levels of the Bush administration.

In an essay entitled “Darfur and Abu Ghraib,” Roth observes that the US action is one of the “fundamental threats to human rights” in the world today precisely “because the abuser is so powerful.” He points out that when most governments breach international human rights law, they commit a violation, “but the rule

remains firm. Yet when a government as dominant and influential as the United States openly defies that law and seeks to justify its defiance, it also undermines the law itself and invites others to do the same.”

Moreover, Roth denounces “outrageous legal theories to try to justify many of its [the US government’s] coercive techniques.” He notes that the animosity in the Muslim world provoked by Washington’s actions in Iraq and Afghanistan is “not anti-Americanism...but anti-American policyism.” He suggests that the Bush administration rarely speaks of its commitment to human rights, but sweepingly and vaguely of its devotion to “freedom.” Roth continues: “It is one thing to pronounce oneself on the side of the ‘free,’ quite another to be bound by the full array of human rights standards that are the foundation of freedom.”

He further complains that US policy has undermined the “human rights culture, one of the most important tools in dissuading potential terrorists.”

In a particularly strongly worded section, “The Policies behind Abu Ghraib,” Roth notes that the abuses at the Iraqi prison did not spontaneously erupt, but “were the direct product of an environment of lawlessness, an environment created by policy decisions taken at the highest levels of the Bush administration, many long before the start of the Iraq war.”

Roth points out that the administration launched its “war on terrorism” unconstrained by fundamental principles of international human rights and humanitarian law and found support for this illegal activity “from a chorus of partisan pundits and academics who, claiming that an unprecedented security threat justified unprecedented measures, were all too eager to abandon the fundamental principles on which their nation had been founded.”

HRW's executive director enumerates a series of decisions taken by Washington that helped create the atmosphere in which the abusive conduct flourished, including: the refusal to apply Geneva Conventions to detainees at Guantánamo; the interpretation of the prohibition on cruel, inhuman or degrading treatment so narrowly as to permit various forms of "coercive interrogation"; the holding of some suspects in incommunicado detention, essentially "disappearing" them; the refusal for more than two years to prosecute US soldiers implicated in killing detainees in Afghanistan; the approval by Defense Secretary Donald Rumsfeld of certain interrogation methods for Guantánamo that violated international treaties, which then "migrated" to Iraq and took on an even more brutal character; the "rendering" of suspects to regimes that routinely practice torture; the US government's opposition to the International Criminal Court; and the concoction of "dubious legal theories to justify torture."

Roth notes that the Bush administration has yet to repudiate many of these decisions.

In response to the claims by the administration that it limited coercion through close regulation, Roth comments, "Once a government allows interrogators to ratchet up the level of pain, suffering, and humiliation, severe abuse will not be far behind.... Once coercion is permitted, interrogators will be tempted to intensify the mistreatment until the suspect cracks. And so, cruel, inhuman or degrading treatment gives way to torture."

He observes further that once the green light has been given to torture, anyone who finds him- or herself in custody anywhere in the world faces the increased risk of torture, "including, of course, Americans."

Roth concludes by calling for a "fully independent, September 11-style investigative commission," the first step toward acknowledging the depth and breadth of the illegality, "punishing those responsible, and committing the United States to ending all coercive interrogation."

With the administration's usual arrogance and indifference to the truth, State Department spokesman Richard Boucher dismissed HRW's findings out of hand. Boucher stated, "The administration has been very clear, the president's been very clear, the documents released by the administration have been very clear: We do not condone torture or abuse of

prisoners. The actions of the administration have been quite clear in prosecuting this and investigating it and bringing it to light."

The results of a USA TODAY/CNN/Gallup Poll, conducted in early January revealed that Americans strongly disapprove of the "harsh interrogation tactics" used by the US government and military.

Fifty-seven percent of those polled felt that the Abu Ghraib scandal had damaged, by a "great deal" or moderately, the reputation of the US around the world. Majorities of 70 to 80 percent disapproved the various "coercive" tactics used on Iraqi and other detainees in Iraq, Afghanistan and Cuba.

The poll also revealed that 56 percent of those surveyed disapproved Bush's handling of Iraq and 50 percent (up from 23 percent in March 2003) thought US military intervention in that country was a mistake in the first place.



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