

# Pentagon dismisses new report on US military torture in Iraq

Kate Randall  
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A report from Human Rights Watch (HRW) provides chilling new details of the torture of Iraqi detainees by US forces. The report, issued September 24—“Leadership Failure: Firsthand Accounts of Torture of Iraqi Detainees by the US Army’s 82nd Airborne Division”—is based on interviews with a US Army captain and two sergeants. It details abuse carried out at Forward Operating Base Mercury (FOB Mercury), near Fallajuh in Central Iraq, from 2003 through 2004.

The Pentagon has denounced the report as a politically motivated smear. Defense Department spokesman Lt. Col. John Skinner criticized it as an effort “to advance an agenda through the use of distortions and efforts in fact.” He made the remarkable claim that the military has “looked at all aspects of detention operations under a microscope.”

The soldiers’ accounts include such practices as hitting detainees with baseball bats, breaking limbs, placing them in “stress positions,” forcing them to form human pyramids, dousing them with cold water, exposing them to extremes of hot and cold, depriving them of sleep, and withholding food and water. The US troops committing the atrocities were nicknamed “the Murderous Maniacs” by the residents of nearby Fallujah, who were their victims. The abuse took place on a daily basis.

Captain Ian Fishback, a 26-year-old West Point graduate, has gone public since the HRW report was published. The identities of “Sergeants A and B” (noncommissioned officers—NCOs) have not been revealed.

The men’s accounts substantiate that the rampant abuse at FOB Mercury was committed under orders from and with the approval of superior officers, particularly those in Military Intelligence.

Despite widespread documentation of abuse of prisoners—in Afghanistan, Iraq, at Guantánamo Bay and elsewhere—to date no senior officers have been prosecuted or held accountable. Instead, a number of rank-and-file soldiers who participated in the torture and abuse of prisoners have been tried and punished in an attempt to blame the pervasive use of such illegal and sadistic methods on a “few bad

apples.”

On Tuesday, Private Lynndie England was sentenced to three years in prison and given a dishonorable discharge for her part in the Abu Ghraib atrocities.

According to the HRW report, in the case of the 82nd Airborne abuse of detainees, Captain Fishback and the two sergeants came forward “because of what they described as deep frustration with the military chain of command’s failure to view the abuses as symptomatic of broader failures of leadership.”

Fishback said he tried for 17 months to bring it to the attention of his commanding officers, to clarify what was and was not acceptable behavior in the treatment of detainees. He told HRW, “My company commander said... ‘remember the honor of the unit is at stake’ or something to that effect and ‘Don’t expect me to go to bat for you on this issue if you take this up.’”

When Fishback approached the Judge Advocate General’s office (JAG) he was told by one of his superiors, “Well, the Geneva Conventions are a gray area.” When he raised the issue of the abusive practices at the army’s Inspector General’s office, an official told him, “You obviously feel very upset about this, but—I don’t think you’re going to accomplish anything because things don’t stick to people inside the Beltway [Washington DC].”

Since the HRW report was published, Fishback has been pressed by investigators from the army’s Criminal Investigation Command to divulge the names of the two sergeants who were also interviewed, or face disciplinary action. In an interview with the *New York Times*, he said that while the three had come forward out of concern that prisoner abuse is systemic in the Army, “I’m concerned that this will take a new twist, and they’ll try to scapegoat some of the younger soldiers. This is a leadership problem.”

In interviews with the Human Rights Watch investigators, the captain and sergeants described pervasive abuse at FOB Mercury of Iraqi detainees—which they refer to as PUCs (persons under control). The term PUC was devised in Afghanistan to take the place of the prisoner of war (POW)

designation after the Bush administration decided that the Geneva Conventions did not apply to captured Al Qaeda and Taliban fighters. It was carried over to Iraq despite the fact that the US military and the Pentagon have claimed that the Geneva Conventions are in effect there.

It is clear from the interviews conducted by Human Rights Watch that the treatment of prisoners at FOB Mercury was in violation of these conventions. Sergeant A said, "On my very first guard shift for my first interrogation that I observed was the first time I saw a PUC pushed to the brink of a stroke or heart attack. At first I was surprised, like, this is what we are allowed to do? This is what we are allowed to get away with? I think the officers knew about it but didn't want to hear about it."

He described the two standard methods utilized on detainees: "To 'Fuck a PUC' means to beat him up. We would give them blows to the head, chest, legs, and stomach, pull them down, kick dirt on them. This happened every day." "Smoking a PUC" involved placing them in a stress position until they collapsed of muscle fatigue.

The sergeant said that detainees were "smoked" every day. "Some days we would just get bored so we would have everyone sit in a corner and then make them get in a pyramid. This was before Abu Ghraib but just like it. We did that for amusement."

He said soldiers were directed by Military Intelligence to "smoke" prisoners to soften them up for interrogation. This involved "banging on their cages, crashing them into the cages, kicking them, kicking dirt, yelling... We poured water on them all the time to where they were soaking wet and we would cover them in dirt and sand."

Sergeant A said that soldiers would show up at the PUC tent at FOB Mercury on their days off to participate in the torture. "Everyone in the camp knew if you wanted to work out your frustration you show up at the PUC tent. In a way it was sport."

He described one incident involving a sergeant from Military Intelligence. "He was former Special Forces. He would come into the PUC tent and request a guy by number. Everyone was tagged. He would say, 'Give me #22.' And we would bring him out. He would smoke the guy and fuck him. He would always say to us, 'You didn't see anything, right?' And we would always say, 'No, Sergeant.'"

Sergeant B said that after detainees were brought to the PUC tent, "We would immediately put these guys in stress positions. PUCs would be holding hands behind their backs and be cuff tied and we would lean their forehead against a wall to support them."

He continued, "As far as abuse goes I saw hard hitting. I heard a lot of stories, but if it ain't me I wouldn't care. I was busy leading my men. I did hear about [a sergeant]

breaking PUC bones." He also described detainees being subjected to sleep deprivation and denied food and water.

Troops were not under instructions to adhere to international law in the treatment of prisoners. "The Geneva Conventions is questionable," Sergeant B said, "and we didn't know we were supposed to be following it... we were never briefed on the Geneva Conventions."

Capt. Ian Fishback (referred to as "Officer C" by HRW) heard reports from his NCOs of similar abuse:

"We had prisoners that were forced to do extremely stressful exercises for at least two hours at a time which personally I am in good shape and I would not be able to do that type of exercise for two hours.... There was a case where a prisoner had cold water dumped on him and then he was left outside for the night. Again, exposure to elements. There was a case where a soldier took a baseball bat and struck a detainee on the leg hard."

Fishback also said that when the photos of prisoner abuse at Abu Ghraib were published, soldiers destroyed similar pictures that existed at FOB Mercury. "They burned them," he said, "The exact quote was, 'They [the soldiers at Abu Ghraib] were getting in trouble for the same things we were told to do, so we destroyed the pictures.'"

He referred to the role of OGAs (Other Government Agencies) in the abuse. Although the term OGA was always used, it was assumed they were from the Central Intelligence Agency. These civilian agents were involved in interrogations involving beatings and torture as well as apparent "disappearances" of detainees.

Capt. Fishback told HRW, "I talked to an MP who said that he was in charge of holding detainees and that the CIA would just come and take the detainees away. They would be like, 'How many detainees do you have?' and he knew he has seventeen detainees but the OGA would be like, 'No, you have sixteen,' so he'd be like 'Alright. I have sixteen.' And who knows where that detainee went?"



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