

Detainee torture: Further proof of US government criminality

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A damning new study of US treatment of detainees in Afghanistan and Guantánamo Bay, Cuba, along with Senate hearings into the origins of the torture inflicted on American-held prisoners, further expose the out-and-out criminality of Bush administration policy and Pentagon operations in Afghanistan, Iraq and around the world. Despite the efforts of leading Democrats, the revelations also underscore their party's complicity in war crimes.

McClatchy Newspapers recently conducted an eight-month review in 11 countries, whose results are being published this week, into the treatment and fate of those imprisoned in Afghanistan, Cuba and elsewhere. The multi-part series concludes that "US soldiers beat and abused many prisoners," many of whom ("perhaps hundreds") were "wrongfully imprisoned ... on the basis of flimsy or fabricated evidence, old personal scores or bounty payments."

McClatchy's reporters interviewed 66 former detainees, along with Afghan and US officials and reviewed thousands of pages of US military tribunal documents and other records. They discovered that most of the detainees they interviewed were "low-level Taliban grunts, innocent Afghan villagers or ordinary criminals."

They also write that, unsurprisingly, "U.S. detention policies fueled support for extremist Islamist groups. For some detainees who went home far more militant than when they arrived, Guantánamo became a school for jihad, or Islamic holy war." As a former detainee from Pakistan told McClatchy, "A lot of our friends are working against the Americans now, because if you torture someone without any reason, what do you expect?"

The treatment of prisoners at the Bagram air base north of Kabul in Afghanistan was worse, according to detainees, than anything done at Guantánamo Bay. Tom Lasseter of McClatchy begins his account of US military conduct at Bagram with these chilling paragraphs, which bring to mind descriptions of the Nazi concentration camps:

"American soldiers herded the detainees into holding pens of razor-sharp concertina wire, the kind that's used to corral livestock.

"The guards kicked, kneed and punched many of the men until they collapsed in pain. U.S. troops shackled and dragged other detainees to small isolation rooms, then hung them by their wrists from chains dangling from the wire mesh ceiling."

Aminullah, an Afghan imprisoned at Bagram for a little over three months told the reporter, "At Bagram, when they took a man to interrogation at night, the next morning we would see him brought out on a stretcher looking almost dead."

Another Afghan, Nazar Chaman Gul, also held at the hellhole for three months or so, said he was beaten about every five days. "American soldiers would walk into the pen where he slept on the floor and ram their combat boots into his back and stomach, Gul said. 'Two or three of them would come in suddenly, tie my hands and beat me,' he said."

Gul ended up in Guantánamo for three years until his release. He was initially picked up by US soldiers, acting on a tip from a tribal rival who was seeking revenge against another man with a similar name. At the time

he was arrested, Gul was working as a fuel depot guard for the puppet Afghan government.

The reign of brutality at Bagram was so severe that the US military ordered Afghan intelligence officers, hardly known for their sensitivity to civil liberties, out of the facility in mid-2002. Mohammed Arif Sarwari, the head of the country's national security directorate from late 2001 to 2003, told McClatchy he considered that to be "a bad sign: The Americans, he thought, were creating an island with no one to watch over them. 'I said I didn't want to be involved with what they were doing at Bagram—who they were arresting or what they were doing with them,' he said in an interview in Kabul."

The brutality reached its apparent peak in December 2002, when, in a now infamous incident, US military personnel "beat two Afghan detainees, Habibullah and Dilawar, to death as they hung by their wrists."

Army Capt. Christopher Beiring, who commanded the 377th Military Police Company from the summer of 2002 to the spring of 2003, was "reprimanded" for the murders.

Brian Cammack, a former specialist with the 377th, told military investigators, "Whether they got in trouble or not, everybody struck a detainee at some point." Cammack was sentenced to three months in military confinement and a dishonorable discharge for hitting Habibullah.

According to McClatchy's Lasseter, "Spc. Jeremy Callaway, who admitted to striking about 12 detainees at Bagram, told military investigators in sworn testimony that he was uncomfortable following orders to 'mentally and physically break the detainees.' He didn't go into detail. 'I guess you can call it torture,' said Callaway, who served in the 377th from August 2002 to January 2003."

Capt. Carolyn Wood, who led the interrogators at Bagram, was then sent to Abu Ghraib prison in Iraq and led interrogation operations there. Lasseter comments laconically, "Wood remains an active-duty military intelligence officer."

The McClatchy series, for all intents and purposes, accuses the Bush administration of war crimes. It notes: "The mistreatment of detainees at Bagram, some legal experts said, may have been a violation of the 1949 Geneva Convention on prisoners of war, which forbids violence against or humiliating treatment of detainees.

"The U.S. War Crimes Act of 1996 imposes penalties up to death for such mistreatment.

"At Bagram, however, the rules didn't apply. In February 2002, President Bush issued an order denying suspected Taliban and al Qaida detainees prisoner-of-war status. He also denied them basic Geneva protections known as Common Article Three, which sets a minimum standard for humane treatment."

The Pentagon refused to reply to a series of 15 detailed questions posed by Lasseter about the abuse at the facilities at Guantánamo, Bagram and Kandahar, nor did they make any personnel, including Secretary of Defense Robert Gates, deputy assistant secretary of defense for detainee affairs Sandra Hodgkinson and former Department of Defense general

counsel William Haynes, available for interviews.

Material released by the Senate Armed Services Committee, in conjunction with its hearing Tuesday, underscores the gangster character of the Bush administration and its CIA and military accomplices. The hearing, chaired by Michigan's Democratic Senator Carl Levin, was scheduled to receive testimony "on the origins of aggressive interrogation techniques," the US political establishment's euphemism for torture.

Levin charged, on the basis of documentary evidence, that the office of Secretary of Defense Donald Rumsfeld began canvassing military commands for harsher interrogation techniques, including waterboarding, sensory deprivation and stress positions, in July 2002. This contradicts previous claims that the techniques were proposed months later, by lower-level officers.

In fact, William Haynes, the Pentagon's chief counsel, asked in July 2002 whether Guantánamo interrogators could borrow tactics from a military training program, designed to prepare US military personnel to resist interrogation if captured, known as Survival Evasion Resistance Escape (SERE).

The brutal techniques, listed in an attachment to a July 26, 2002 memo directed to Haynes' office, included "Facial Slap," "Walling," "Finger Press," "Water," "Waterboard," "Cramped Confinement ('the little box')," "Immersion in water/Wetting down," "Isolation," "Degradation," "Sensory overload," "Disruption of sleep and biorhythms" and "Manipulation of diet."

The documents made public by Levin include the minutes of a meeting at Guantánamo in October 2002 that discussed the techniques proposed and their legal ramifications. The tone and content of the meeting are conspiratorial and criminal in character.

At one point, Lt. Col. Diane Beaver, the top military lawyer at the Cuban base at the time (and one of the witnesses at Tuesday's hearing in Washington), comments, "We may need to curb the harsher operations while ICRC [International Committee of the Red Cross] is around. It is better not to expose them to any controversial techniques."

Another participant points out that "sleep deprivation" is widely used at Bagram. Beaver continues, "True, but officially it is not happening. It is not being reported officially. The ICRC is a serious concern. They will be in and out, scrutinizing our operations, unless they are displeased and decided to protest and leave."

Chief counsel to the CIA's Counterterrorism Center Jonathan Fredman then intervenes, arguing that the language of the international statutes on torture "is written vaguely. ... Severe physical pain described as anything causing permanent damage to major organs or body parts. Mental torture described as anything leading to permanent, profound damage to the senses or personality. It is basically subject to perception. If the detainee dies you're doing it wrong."

After Fredman concludes, Beaver puts in, "We will need documentation to protect us."

Fredman: "Yes, if someone dies while aggressive techniques are being used, regardless of cause of death, the backlash of attention would be severely detrimental. Everything must be approved and documented."

Videotaping the "harsh techniques" is ruled out, because "Videotapes are subject to too much scrutiny in court." A discussion ensues about the "wet towel" technique, during which the "lymphatic system will react as if you're suffocating, but your body will not cease to function."

In an email dated October 28, 2002, Mark Fallon, deputy commander of the Criminal Investigation Task Force at Guantánamo, commented about the minutes of this discussion, "This looks like the kinds of stuff Congressional hearings are made of." Fallon notes that Beaver's comments "give the appearance of impropriety" and that "Other comments ... seem to stretch beyond the bounds of legal propriety."

Fallon goes on, "Talk of 'wet towel treatment' which results in the lymphatic gland reacting as if you are suffocating, would in my opinion,

shock the conscience of any legal body ... Someone needs to be considering how history will look back at this."

Tuesday's Armed Services Committee hearing, before which most of the military and Bush administration officials called to testify simply stonewalled, was a thoroughgoing fraud. Levin and the Democratic Party are accomplices of the Iraq and Afghanistan wars and the torture and abuse that have inevitably accompanied them.

In a venomous and reactionary editorial Tuesday, the *Wall Street Journal* rails against Levin and the Democrats for daring to question Bush administration officials about its "aggressive interrogations," but the *Journal* quite rightly notes the hypocrisy and faintheartedness of the Democrats.

The editorial points out, "The intelligence committees in both the House and Senate have been briefed on the specific contents of those memos, including the legal rationale for using harsh interrogation techniques in certain circumstances, as well as the techniques that were in fact used."

"Seven years later, Democrats claim to be especially offended by 'waterboarding,' which the CIA says was done to only three of the worst al Qaeda suspects. But both Speaker Nancy Pelosi and Senate Intelligence Chairman Jay Rockefeller knew all about waterboarding at the time, and didn't object."

The *Washington Post* reported in December 2007 that the CIA had provided 30 private briefings, "some of which included descriptions of that technique [waterboarding] and other harsh interrogation methods." The *Post* wrote that "The lawmakers who held oversight roles during the period included Pelosi and Rep. Jane Harman (D-Calif.) and Sens. Bob Graham (D-Fla.) and John D. Rockefeller IV (D-W.Va.), as well as Rep. Porter J. Goss (R-Fla.) and Sen. Pat Roberts (R-Kan)." It seems highly unlikely that Levin, a leading member of the Senate Intelligence and Armed Services Committees, was unaware of what was going on.

There has been bipartisan support for the so-called "war on terror" since its inception. Every Democratic senator but two voted for the Patriot Act in October 2001; the majority of Democrats in the Senate voted in October 2002 to authorize the invasion of Iraq; Democratic votes made possible the passage of the Military Commissions Act in September 2006, which denied detainees the right of habeas corpus. And, of course, the Democrats have made possible the continued allocation of hundreds of billions of dollars for the wars in Iraq and Afghanistan since they took control of Congress in 2006.



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