

New report condemns US medical professionals' role in torture

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Since September 11, 2001 medical professionals under the direction of the CIA and the US Department of Defense were ordered to disregard the core “do no harm” principles of medical ethics in their dealings with detainees held by the US in the so-called “war on terror.” Health professionals were required to engage in practices which included “designing, participating in, and enabling cruel, inhumane and degrading treatment” of prisoners.

A report released on Monday by a 20-member task force of physicians, lawyers and human rights experts charges that US military and intelligence forces “improperly demanded that U.S. military and intelligence agency health professionals collaborate in intelligence gathering and security practices in a way that inflicted severe harm on detainees in U.S. custody.”

The report, untitled “Ethics Abandoned: Medical Professionalism and Detainee Abuse in the War on Terror”, was the work of the Task Force on Preserving Medical Professionalism in National Security Detention Centers. In its announcement of the report, the Institute on Medicine as a Profession (IMAP), one of the supporting organizations, characterizes its findings as follows:

“The report details how DoD and CIA policies institutionalized a variety of interventions by military and intelligence agency doctors and psychologists that breach ethical standards to promote well-being and avoid harm. These interventions included:

- Involvement in abusive interrogation; consulting on conditions of confinement to increase the disorientation and anxiety of detainees;
- Using medical information for interrogation purposes; and
- Force-feeding of hunger strikers.”

The Task Force was convened in 2010 by its funding organizations, IMAP and Open Society Foundation (OSF) “to examine what is known about the involvement of health professionals in infliction of torture or cruel, inhuman, or degrading treatment of detainees in U.S. custody and how such deviation from professional standards and ethically proper conduct occurred, including actions that were taken by the U.S. Department of Defense (DoD) and the CIA to direct this conduct.”

The task force is made up of 20 high-level medical professionals with vast collective experience in the fields of medicine, bioethics, psychiatry and law. It includes lecturers and professors at educational institutions such as Columbia University, Harvard Law School, Boston University, University of California, New York University School of Education and Johns Hopkins Bloomberg School of Health. It is significant that two of its members, Albert J. Shimkus, Jr. from the Naval War College, and Brigadier General (Ret.) Stephen N. Xenakis, MD, share military backgrounds.

The legally discredited arguments put forward by the Bush administration for “enhanced interrogation” of detainees have been justified and followed by the Obama administration as well.

The recent attempt by the Obama administration and the Defense Department to break a hunger strike by Guantánamo detainees by means of force-feeding was denounced by medical ethicists writing in the *New England Journal of Medicine* as “aggravated assault.” The article urged military doctors to mutiny against orders to participate in such feedings and called for the medical community to support them.

Concern for adherence to standards of treatment such as those established in the Geneva Conventions and the US Army field manual have been rejected by both the

Bush and Obama administrations. The term “unlawful combatants” has been applied to any individual that is even suspected of having knowledge of terrorist activities.

The report details extensively the role of health professionals in the torture of US detainees. It cites 2002 testimony by the head of the CIA’s Counterterrorist Center, Cofer Black, that “After 9/11, the gloves came off.” This became the justification for the abandonment of medical ethics.

This is not the first report of the involvement of medical personnel in US torture (see “US doctors tied to torture at Guantanamo, Abu Ghraib”), but it is among the most significant and widely publicized.

The role of US medical personnel in torturing prisoners recalls the infamous practices of Nazi doctors on concentration camp inmates in World War II. A number of these doctors were tried and convicted at the Nuremberg war crimes trials in the war’s aftermath.

Ethics Abandoned, more than 200 pages, is worthy of intensive study. One of its chapters, called “Health professional accountability for acts of torture through state licensing and discipline,” strongly advocates the need for accountability in the medical profession. It argues that, if military intelligence can run roughshod over established mechanisms for enforcing ethical standards, a high price is paid. It says, “non-enforcement undermines professional standards, erodes public trust, and undercuts deterrence of future misconduct. Lack of consistent enforcement also compromises protection of health professionals who face institutional pressure to violate their ethical obligations.”

Yet, the report points out that in all known cases submitted to licensing and disciplinary boards—in Alabama, California, Georgia, Louisiana, New York, Ohio and Texas—where health professionals have been charged with complicity in abuse of detainees at Guantánamo and in secret CIA detention centers, none have been brought before a formal hearing.

A 2009 report, entitled, *Aiding Torture*, (see “CIA doctors, psychologists participated in torture of prisoners”) by Physicians for Human Rights (PHR), called for an independent investigation of medical personnel in the CIA interrogation program. It sought to determine how many doctors participated in torture, and on what scientific and medical basis they

conducted their work.

PHR asserted at the time that “the extent to which American physicians and psychologists violated human rights and betrayed the ethical standards of their professions by designing, implementing, and legitimizing a worldwide torture program is greater than previously known.”

The new report issued a series of findings, among which is that the military and the CIA “required physicians, psychologists, and other health professionals to act contrary to their professional obligations. These obligations include refraining from harming individuals with whom they interact in their professional capacities, maintaining confidences, being transparent about their professional roles, and exercising independent professional judgment.”



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