UN report documents torture, police violence in US

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The United Nations Committee Against Torture issued a lengthy report Friday assessing the performance of the 156 countries whose governments have ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which took effect two decades ago.

The report subjected a major country to a wide-ranging critique, indicting it for a long list of human rights violations including:

• Refusal to prosecute officials who engage in or sanction torture of prisoners

• Detaining prisoners indefinitely without trial or other judicial proceeding, or any hope of release

• Kidnapping individuals overseas and torturing them in secret prisons

• Approving a manual for interrogation of prisoners that includes methods classified as torture under the Geneva Conventions

• Imprisoning immigrants under degrading conditions and refusing to acknowledge their claims as refugees fleeing persecution

• Imposing the death penalty on hundreds of prisoners, many of them from oppressed racial and ethnic minorities, many of them demonstrably innocent or unfairly tried

• Widespread use of solitary confinement, considered a form of torture, at all levels of the prison system

• Severe abuse of juveniles, pregnant women and other vulnerable groups both in police custody and in prisons

• Maintaining a regime of police violence, particularly against young men from racial and ethnic minorities, and refusing to restrain or punish police who kill, wound or torture

It will not come as any surprise to readers of the WSWS that the country named is not China, or Russia, or Iran, or some other target of the American ruling class, but the US itself. The government that claims the right to bully, blockade, and attack any country in the world in the name of “human rights” and “democracy” is guilty of the most heinous crimes.

The language of the report is both cautious and bureaucratic, and there are strained efforts to congratulate the Obama administration on alleged improvements, compared to the Bush administration, on such practices as extraordinary rendition and waterboarding. But the overall impact of this indictment is damning.

There are some significant revelations. The committee notes that the US government had filed reservations to the Convention on Torture at the time of ratification, indicating that some practices condemned by the treaty would continue, and that the Obama administration has refused to alter this “restrictive interpretation” of the anti-torture treaty or introduce a prohibition of torture into federal law.

The Obama administration has revoked Bush administration legal opinions declaring that waterboarding and other forms of torture were permissible, but it has not done the same to Bush-era claims that the US is obliged to observe international norms only at facilities within US borders, not at detention facilities on the soil of other countries. In other words, the legal basis for torture at secret CIA and military prisons still remains fully in effect.

The report also notes that the US government is in violation of its commitment under the Convention on Torture to “Ensure that alleged perpetrators and accomplices are duly prosecuted, including persons in positions of command and those who provided legal cover to torture, and, if found guilty, handed down penalties commensurate with the grave nature of their

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acts." Obama directly repudiated this legal obligation, in his directive to "look forward, not backward" on allegations of torture.

While this remains a closed book to the American political establishment, the report underscores the seamless connection between military violence overseas and militarized police violence at home—though its criticisms are couched largely in racial terms. It condemns "racial profiling by police and immigration offices and growing militarisation of policing activities." A spokesman said the committee members "voiced deep concern at the frequent and recurring police shootings in fatal pursuit of unarmed black individuals."

The document is the product of a three-week session in Geneva that included testimony from the parents of Michael Brown, the unarmed 18-year-old African-American who was shot to death by Ferguson, Missouri police officer Darren Wilson on August 9. The report was made public four days after a St. Louis County grand jury whitewashed the killing and dismissed all charges against the killer cop.

The timing of the report is also significant, coming at the culmination of the protracted effort by the White House and CIA to suppress a major US Senate report on torture at CIA secret prisons between 2002 and 2006. The 6,000-page report was completed two years ago, but release of even a censored version of its 500-page executive summary has been blocked by CIA demands that so much of the document be redacted that it is almost incomprehensible.

Two days before the report was made public, seven UN human rights experts issued an open letter to Obama that, while couched in friendly, even obsequious language, called for "the fullest possible release" of the CIA torture report and warned that Obama's decision on the document would have "far-reaching consequences for victims of human rights violations everywhere and for the credibility of the United States."

The White House, however, has worked closely with the CIA in suppressing the document. Or more exactly, the CIA made its demands, and the White House has followed suit obediently. After initially agreeing with Senate investigators to use pseudonyms to mask the names of CIA operatives, including the torturers, the agency is now demanding that even the pseudonyms should be blacked out of the document. *Foreign Policy* magazine reported last week that the White House was "fiercely resisting the release of an executive summary of a 6,300-page Senate report on the CIA's detention and interrogation program." One Senate aide told the magazine, "Ideally, we should be closing ground and finalizing the last stages right now so that we can release the report post-Thanksgiving. But, despite the fact that the committee has drastically reduced the number of pseudonyms in the report, the White House is still resisting and dragging this out."

An additional factor is the impending takeover of the Senate by the Republican Party in January. Senator Richard Burr of North Carolina, who would become chairman of the Intelligence Committee once the Republicans take control, is on record as opposing any public release of any information on CIA activities, regardless of their criminal nature. If the wrangling over release of the report is prolonged another month, the new Republican majority may well vote to withdraw the report entirely, saving the Democrats from having to do the job themselves.

The Senate report is hardly a real indictment of the CIA. Lawyers for the Guantanamo Bay prisoners who were waterboarded dozens of times say that Senate investigators never took testimony from them. In other words, the only account of the torture comes from those who participated in the torture, or sanctioned it, not from those who were its victims. It also reportedly does not level any accusations against the top executive, military and intelligence officials who drew up and sanctioned the criminal policy.

That even such a document, with thousands of lines blacked out and vital information withheld, cannot be made public, speaks volumes about the decay and collapse of American democracy. The US ruling elite is incapable of coming clean about the period when, as Obama admitted, "We tortured some folks." That is because the entire state apparatus is preparing for the use of similar methods against a much-feared upheaval among workers and young people at home.

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