



Conditions for Torture Persist in US Policy

Over three years since Amnesty International brought attention to allegations of torture and ill-treatment of detainees in US custody in Afghanistan and Guantánamo Bay, and almost a year since the pictures of torture and ill treatment in Abu Ghraib were publicized, there is little indication of meaningful action by the US government to remedy the situation and prevent further abuse. Urge President Bush to support the establishment of a Commission of Inquiry and appointment of a Special Counsel to conduct a thorough, independent and public investigation; to prosecute up the chain of command those responsible for committing acts of torture, cruel, inhuman and degrading treatment, as well as those who contributed to a command climate that condones such abuses; and to ensure US forces and their allies know that such violations will not be tolerated.

Sample Letter

The Honorable George W. Bush
The White House
600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

I am deeply concerned by the US record of torture and ill-treatment that continues to emerge from Iraq, Afghanistan, Guantánamo, and beyond. Amnesty International has interviewed former detainees released from US run facilities in Iraq, Afghanistan, Guantánamo and elsewhere who reported being subjected to torture or other cruel, inhuman or degrading treatment during interrogation and detention. Extensive research by Amnesty International suggests that these are not isolated incidents. Although Amnesty International has presented this information on several occasions to US government officials, the organization has not received a full response to these allegations. Moreover, there are numerous indications that high ranking government officials have worked to block restrictions on extreme interrogation techniques that amount to torture.

Recently released FBI documents are further evidence of the extensive and severe nature of the treatment of detainees in US custody, and indicate behavior that unquestionably rises to the level of torture. One FBI communication from Iraq dated June 2004 reports that an FBI agent "observed numerous physical abuse incidents of Iraqi civilian detainees," including "strangulation, beatings, [and] placement of lit cigarettes into the detainees ear openings." Another FBI e-mail regarding interrogation techniques in Guantánamo reported that detainees were shackled hand and foot in a fetal position on the floor, sometimes kept in that position for 18 to 24 hours at a time, and most had "urinated or defecated [sic]" on themselves. Rather than being the work of a "few bad apples," these documents are further evidence of the pervasiveness of these practices that have resulted from years of policies which sought to circumvent the absolute prohibition on torture and ill-treatment of detainees in US custody.

High-level US officials have frequently stated that the "war on terror" is a new war that requires new thinking. In fact, these officials seek to justify old methods that have long been de-legitimized. Suspending habeas corpus, "disappearing" detainees, incommunicado detention and the legalization of torture have been used in the name of national security and do not represent "new thinking." These policies merely recycle old, ineffective practices that violate human rights and undermine the rule of law.

Mr. President, I urge you to call for the establishment of an independent commission of inquiry and the appointment of a Special Counsel to conduct public investigations into the reports of abuse in US detention centers in Iraq, Afghanistan, Guantánamo and elsewhere; to establish whether acts of torture, cruel, inhuman and degrading treatment and other violations of relevant federal statutes have been committed; and to recommend safeguards to prevent further torture and ill-treatment. In addition, the Special Counsel should prosecute those who perpetrated crimes and those up the chain of command responsible for creating a climate that has facilitated such crimes.

Two years ago, you stated that, “torture anywhere is an affront to human dignity everywhere” and “the United States is committed to the world-wide elimination of torture and [is] leading this fight by example.” Torture and ill-treatment of detainees at the hands of US personnel runs contrary to your words and the tenets of US and international law. The time for internal investigations and verbal denials has passed. It is essential that the world community view the investigations into such crimes as thorough and impartial, and that both those who commit such acts of torture and those in command who condone them are held accountable. For that reason, I urge you to support an independent commission of inquiry and the appointment of a Special Counsel.

Thank you for your attention to this matter and I look forward to your response.

Sincerely,

Background

An Amnesty International report entitled “USA: Human dignity denied: Torture and accountability in the ‘war on terror’” catalogues the United States’ three-year descent into the use of torture and warns that without a comprehensive, independent investigation into the United States’ torture and ill-treatment of detainees, the conditions remain for further abuses to occur.

Based on an analysis of relevant policy decisions and specific incidents of abuse, the report cites more than 65 specific recommendations that, if implemented by the US government, would provide substantial safeguards against further torture and abuse. Among these is a call on President Bush to make public and revoke any measures or directives that have been authorized by him or any other official that could be interpreted as authorizing “disappearances,” torture or cruel, inhuman or degrading treatment, or extrajudicial executions.

The report was released to mark the six month anniversary of CBS News’ first broadcast of the photographs of torture at Abu Ghraib. Research by Amnesty International suggests that these are not isolated incidents, but rather evidence of a systemic failure to protect the rights of detainees in accordance with international law. Amnesty International has received frequent reports of torture or other ill-treatment from released detainees who were held in US-run facilities in Iraq, Afghanistan, Guantánamo, and elsewhere. Detainees have told Amnesty International that they were tortured and ill-treated by US and UK troops during interrogation. Methods often reported include prolonged sleep deprivation; beatings; prolonged restraint in painful positions, sometimes combined with exposure to loud music; prolonged hooding; and exposure to bright lights. Virtually none of the allegations of torture or ill-treatment has been adequately investigated by the authorities.

Amnesty International calls for a thorough and impartial investigation into torture and other abuses in Iraq, Afghanistan, Guantánamo, and elsewhere, and for those who perpetrated crimes and those who contributed to a command climate that facilitated crimes to be brought to justice. Amnesty International seeks the establishment of an independent commission of inquiry consisting of experts who would examine – up the chain of command – US interrogation practices in Iraq, Afghanistan, Guantánamo and elsewhere. Hearings and findings should be made public. Amnesty International also calls for the appointment of a Special Counsel to investigate the reports of abuse at the Abu Ghraib prison and other

detention facilities in Iraq, Afghanistan, Guantánamo and elsewhere; to establish whether acts of torture, cruel, inhuman and degrading treatment and other violations of relevant federal statutes have been committed; and to seek prosecution of those who perpetrated crimes and those up the chain of command responsible for creating a climate that facilitated such crimes. Within the US justice system, the Special Counsel is the most independent mechanism for conducting an investigation and prosecution.