

COUNTER TERROR WITH
JUSTICE

**TEACH-IN
GUIDE**





COUNTER TERROR WITH JUSTICE TEACH-IN GUIDE: OVERVIEW

Introduction

One of the most significant roles you can play as an advocate against the use of torture ; cruel, inhuman, and degrading treatment (CID); and illegal detentions in Guantanamo is to educate people in your community or school about the issue and inspire them to take action. Fundamentally that is the purpose of the Counter Terror with Justice Teach-in Guide. It is a template for education and a launching pad for action against acts of torture, CID, and illegal detention committed by officials and agents of the U.S. Government in the name of the “war on terror.” After decades of work to end human rights violations, Amnesty International has learned that these atrocities spread like a virus when the people who commit these crimes are not held accountable and when citizens are not aware of the extent to which these crimes are occurring in their name. You can play a significant role in helping to stop torture and illegal detention once and for all.

You do not need to be an expert to hold a teach-in because this guide will give you the tools you need to be successful. All you need is a passion for ending torture and illegal detention and a few hours to prepare for and present this important information to a group of people in your community.

The Counter Terror with Justice Teach-in Guide is divided into four parts, each of which is designed to help you hold a successful teach-in in your community.

Part 1: An introduction to the Teach-in Guide

Part 2: Tips for facilitating a successful Teach-in

Part 3: A suggested module for running your Teach-in

Part 4: An appendix that lists where you can find more information about the issues that can be discussed at your teach-in and resources you should consider having on hand at your teach-in.

Always be sure to notify the Counter Terror with Justice Campaign at ctwi@aiusa.org when you hold a teach-in so we can list your event on our website and we can provide you with any updated materials you may find useful in your presentation. You are also encouraged to post information about your teach-in on the Counter Terror with Justice Section of the Amnesty International website yourself by completing the form.

Good luck with your teach-in! Our collective success in stopping the use of torture and illegal detention hinges on the commitment of people like you.

Overview of how to hold a teach-in

Below are items to take into consideration when planning your teach-in to help ensure success.

What is a Teach-In?

A Teach-in is a session hosted by any group or organization to discuss an important topic. Teach-ins are informative sessions on recent events which people may not be able to understand clearly through news sources alone. It is a chance to inform people about an issue and provide them with opportunities to take action. Thus teach-ins are meant to be interactive as well as informative. Participants of a Teach-in are welcome to ask questions and discuss issues so that they can understand the topic clearly.

Amnesty groups can use teach-ins to educate the members of their own group. They can also make use of teach-ins as an outreach device to educate and mobilize other people in their community. Teach-ins are an excellent opportunity to work with other organizations to educate a broader community.

The measure of successful education is that it leads to action. A teach-in educates people to take action. It is a chance to inform people about an issue and provide them with opportunities to take action. Be sure to balance education and action at your event and allow enough time for people to discuss the issues.

Decide on your target audience

Here are a few suggestions on who to invite to a teach-in:

- Friends
- Family
- Colleagues
- Classmates
- An Amnesty International Local Group
- An Amnesty International Student Group
- School organizations
- Organizations that you do not belong to but think would want to get involved.

Where to hold teach-ins

A teach-in can be held just about anywhere, but be sure that the location is accessible to the community with which you are working. Some other examples are:

- School or college
- house of worship
- community center that provides an educational yet informal setting

Tips on inviting organizations

It is important to craft your invitation in a way that will resonate with the organization to which you are reaching out. Think about what issues are of concern to the given organization and how they connect to the issues of torture and illegal detentions. There is a particular interest to involve faith communities and traditional civil rights organizations. Below is information that you might find helpful in making your ask for each.

- **Faith Communities:** Focus on the moral issues surrounding torture and illegal detention. Also, emphasize justice. There is a need to stand for principles of right and wrong, as well as the principles of justice by holding every person accountable up and down the military and civilian chain of command, not just the lower levels. Amnesty International USA is an adjunct member of the National Religious Campaign Against Torture. On their website, <http://www.nrcat.org>, you can find more information about moral arguments against torture. You can also see if the faith community you are working with is a member or has signed the statement of conscience.
- **Civil Rights Organizations:** Connect the local to the global. Many civil rights organizations have a long history working to end torture and ill-treatment of minorities in the United States- there is much we can learn from them. Clear parallels can be drawn between abuses occurring in the context of the U.S. led "war on terror" and abuses that have occurred here in the United States. As with faith communities, emphasize the need to bring about justice up the chain of command.

Publicity

Invite members in your community to your teach-in.

- Advertisements can be posted on community boards in some grocery stores or around schools.
- Word of mouth is an especially good way to promote your event.
- Create quarter page flyers and have group members carry some with them at all times to pass out to fellow employees or classmates.
- Create an 'event' on Facebook or other social networking sites and invite your friends, asking them to RSVP. Follow up with a message to make sure they are coming.
- A personal invitation is more likely to entice a person to come than just looking at an ad.
- Mass emails are also an easy way to get the word out. Request RSVPs so you have an idea of who is coming.

Additional items to consider

- When calling an organization, be sure that you know what you want them to do. Having several levels of involvement in which an organization can participate is always helpful. Options would be for them to co-sponsor the teach-in and help facilitate, co-sponsor and help advertise the teach-in, and post information about the teach-in on their website or newsletter.
- Be aware of important dates regarding the organization you are seeking to involve. Dates such as religious holidays, school breaks, and testing schedules should all be part of your consideration.
- Following up is an important way to make sure that participants **stay involved**. Hosting an event or action within two weeks of the teach-in is great way to tap into the energy generated from the teach-in. Consider a rally or a letter writing drive related to the issue. If a follow-up event is not feasible, at least make sure to contact the attendees from the teach-in to thank them and extend an invitation to work with your Amnesty group in the future.

Preparing for your Teach-in:

Once you have scheduled your teach-in, invited your participants, and reserved a location for the teach-in to be held, use the following checklist to prepare:

- Read your teach-in guide carefully and familiarize yourself with the activities for each section
- Pre-prepare flip charts as per the teach-in guide
- Photocopy handouts for your participants
- Reserve an LCD projector and laptop if available
- Check out the CTWJ website (www.amnestyusa.org/ctwj) for updated information and actions
- If funds permit, consider bringing snacks and drinks or holding a 'potluck' teach-in

Finally, arrive at your teach-in location at least 15 minutes before your participants to prepare the room.



COUNTER TERROR WITH JUSTICE TEACH-IN TEMPLATE/FACILITATOR GUIDE

- Teach-In Event:** Teach-in: To be distributed nationally.
- Title:** “Counter Terror with Justice Teach-In Guide”
- Workshop Description:** This interactive workshop will allow participants to learn & practice valuable skills related to ending torture; cruel, inhuman, and degrading treatment (CID); and illegal detention at Guantánamo Bay. Participants will engage in discussions and practical applications of key concepts with the goal of motivating others to learn about this issue and take action. Topics to be covered include: torture and its various forms, CID; the detention facilities at Guantánamo Bay, and how to take action within AIUSA.
- Amnesty Priority:** Creating public awareness and giving people the tools to take action.
- Participants:**
Number of anticipated participants: 15-20
Who are your intended participants? Community members
We assume the audience...
 - Has little or no knowledge on torture, CID, and illegal detention at Guantánamo Bay
 - Is interested in learning about the topic
 - Is seeking tools to take action within their community
 - Is motivated to be there and will participate actively
- Time:** 1.5 hrs (90 minutes)
- Materials** A packet of handouts will be distributed. Photocopies must be made by facilitator
Helpful materials: flipchart, markers (Optional: laptop and projector)
- Objectives** By the end of this session, participants will be able to...
 - Know the definition of torture and cruel, inhuman, and degrading treatment, as well as the forms torture and CID can take.
 - Have background information on the detention facilities at Guantánamo Bay and the policies that surround it.
 - Identify and put into practice specific actions with the Counter Terror with Justice Campaign.
 - Become members of AIUSA to support our ongoing work.

Introductions

(3 minutes)

Facilitator: If you are unfamiliar with the group, or the group is unfamiliar with each other, make sure to set aside time for introductions. Consider having them say their name, if they have an organization affiliation, and why they decided to attend. If you have a larger group be aware of time and ask only for names (or consider making your event a bit longer to allow for informal networking time and more in-depth introductions).

Item/Activity #1

(5 minutes)

Interactive Orientation

Materials: quotes on Guantánamo (optional: laptop, projector)

a) If you have access to IT equipment, play AI's video on waterboarding:

<http://www.youtube.com/watch?v=5dLccPF5E2o>

Facilitator: Reactions? Is this torture?

Although most experts agree that waterboarding constitutes torture under international and U.S. law, the current administration has tried to say that it is legal – and has used it against at least three detainees in Guantánamo. In March 2008, President Bush successfully vetoed a bill that would have explicitly prohibited waterboarding. As you learn more tonight, ask yourself why the administration's interpretation of the laws against torture is different from those in other countries, and from past U.S. interpretations.

b) (Without IT equipment) post quotes that support the closure of Guantánamo around the room. Ask participants to read the quotes aloud.

-Facilitator: What is your reaction to the statements just read?

-The statements you have read are very powerful, especially because they have come from not just victims of torture, but from representatives and former representatives of the US government as well. Keep these statements in your mind as we go over background information on torture, CID, illegal detention, and Guantánamo Bay.

Though many participants will raise questions on why the detention center is still open, and how this can still be happening, be prepared for mixed feelings within the group and be sure to support an environment which welcomes the differing statements as participants learn about these issues.

Workshop overview

(2 minutes)

Facilitator:

In the name of fighting terrorism, the US government has subjected people who have not been charged with or convicted of any crime to torture and other cruel, inhuman, or degrading treatment. The US has denied them their legal rights by holding them indefinitely in facilities such as Guantánamo Bay and other US-administered sites, including secret CIA prisons, known as "black sites."

Amnesty International strongly advocates ending illegal US detention -- the first step of which closing the detention facilities at Guantánamo Bay -- in a way that respects the rights of detainees. Guantánamo has become a global symbol of the Bush administration's disregard for basic human dignity and the rule of law. The Bush administration's actions in its "war on terror" contradict fundamental American values and violate U.S. and international laws and standards.

Over the next hour we will explore the scope of torture and ill-treatment, especially within Guantánamo, and discuss what we can do to help stop torture, CID, and illegal US detention.

Goals:

(5 minutes)

Materials: flipchart, marker

To prepare: Consider writing these goals on a flip chart or printing a typed copy in advance.

Teach-in Goals:

- a. Spark a dialogue on torture, ill-treatment, and illegal detention to humanize the issue.
- b. Educate participants on the scope of the use of torture by agents of the U.S. government
- c. Educate participants on the detention center at Guantánamo and federal and international law relating to torture and indefinite detention.
- d. Move participants to take action and provide them with tangible opportunities to act.

Item/Activity #2

(15 minutes)

Torture

-Materials needed: flip chart, marker, editorial worksheet

-Begin with an open-ended question: What is torture?

Torture vs. CID

-What is the difference?

-You will often find the term “CID”, or cruel, inhuman, and degrading treatment, mentioned with torture. What is the difference? CID is classified as less severe than torture. Though a person is subject to acts that cause mental or physical suffering, fear, and humiliation it is not to the same degree as torture. No one, though, should be subject to harsh treatment, no matter what the classification.

Definition of Torture

Facilitator:

-Torture is defined by the United Nations Convention Against Torture as “... the intentional infliction of severe physical or mental pain or suffering for purposes such as obtaining information or a confession, or punishing, intimidating or coercing someone.”

- At U.S.-administered detention facilities, government representatives and contractors have used interrogation techniques that cause physical or mental pain. There are several types of torture.

1) Psychological Abuse: As a result of interrogation tactics, people experience mental or emotional anguish.

-Interrogation tactics that fall within this category:

- Light and sound manipulation
- Exposure to temperature extremes (this could also fall under physical abuse)
- Sleep deprivation (this could also fall under physical abuse)
- Threat of transfer to another country where they may expect to be tortured
- Threat of imminent harm or death to the person being interrogated or to others (family, friends, another prisoner etc)

2) Physical Abuse: As a result of interrogation tactics, people experience physical anguish.

-Interrogation tactics that fall within this category:

- Exposure to temperature extremes
- Beatings
- The use of stress positions
- Waterboarding

3) Medical Abuse:

- Withholding medical care
- Administering unnecessary medical procedures or drugs

All of these interrogation tactics and forms of abuse have taken place at US-administered facilities. Many of them have been used at the detention facilities at Guantánamo Bay.

Editorials

-You will need the worksheet of selected editorials on torture for this activity.

-Have participants quickly read the excerpts from the media's impression on torture.

Facilitator: From reading the editorials, you can see that the US media is largely against the use of torture. Knowing what you know now about torture, what is the main thing you would tell your local paper?

-I encourage you all to write editorials. It is a great way to voice your beliefs.

Item/Activity #3

(20 minutes)

What is Guantánamo?

Facilitator:

"Guantánamo" refers to the detention facilities within the U.S. Naval Base at Guantánamo Bay, Cuba. By opening detention facilities at Guantánamo, the Bush administration sought to send detainees to a place where they believed neither US nor international law applied. This concept is an affront to human rights and the rule of law- no one can be held outside of the law.

Detainees started arriving at Guantánamo on January 11, 2002. All those who have been sent to Guantánamo have been designated as "unlawful enemy combatants" by the President, often with little or no evidence of guilt. The Military Commissions Act deems "unlawful enemy combatant" as someone who has purposefully supported hostilities against the United States of America. A person does not have to be directly involved in the hostilities to be termed an unlawful enemy combatant.

Approximately 775 people have been held at Guantánamo since its opening. Moreover, only two people have had their cases heard and settled in court. (Australian David Hicks pled guilty in a plea bargain and is now free, and Yemeni national Salim Hamdan was found guilty of some of the charges against him; his sentence is set to be completed in January 2009.) Fewer than 30 others have been charged. Currently approximately 255 people are detained at the facility, which means that more than 500 have been sent home without charge.

Despite international outrage and the US authorities' own stated wish to close the detention center, Guantánamo is still holding detainees illegally, without charge and with little hope of a fair trial. Hundreds suffer in cruel, inhuman, and degrading conditions--including many detainees who have been cleared for release.

Law- Why they should be protected

1) Article 3, Common to the Four Geneva Conventions of 1949, which calls for:

- a) Humane treatment of prisoners: protection from harsh interrogation tactics, violence, and intimidation;
- b) Communication with protective agencies
- c) Proper medical attention.

2) U.S Army Field Manual: The US Military seeks to conduct itself in a manner in line with the Geneva Conventions. The Army Field Manual contains strict guidelines on interrogation tactics to avoid physical and mental abuse.

3) Habeas Corpus: People detained in the United States are permitted to file a petition for a writ of habeas corpus with a court. The writ of habeas corpus is an opportunity for the person being held to challenge the legitimacy of their detention before a neutral legal body. Historically, this right to seek judicial review of detention can be traced to the Magna Carta of 1215, the Habeas Corpus Act of 1689, and the U.S. Constitution.

Why detainees aren't being protected

1) Presidential Military Order "*Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism*": In a 2001 executive order, President Bush authorized the Department of Defense to detain anyone the President determined to be a member of al Qaeda or another international terrorist organization, or determined to have committed, conspired to commit, or attempted to commit acts of terror that would harm the United States or its interests. This order included few protections for detainees and allows for indefinite detention of those designated as "illegal enemy combatants."

2) Detainee Treatment Act: The Detainee Treatment Act of 2005 provides for Combatant Status Review Tribunals, the forums in which the military determines the status of those persons initially detained under the presidential military order. These hearings are fundamentally unfair and do not provide a meaningful opportunity for a person to confront the evidence against him or her. They start from a presumption of guilt, do not allow detainees to have legal representation, prevent the detainees from seeing all the evidence against them, and allow evidence obtained through torture to be used in making the determination of whether a detainee is an "enemy combatant."

3) Military Commissions Act: The Military Commissions Act of 2006 (MCA) openly gives the President the power to declare someone an "unlawful enemy combatant" and to imprison that person indefinitely without charge. This law removed Constitutional due process and habeas corpus rights for persons the President designates as unlawful enemy combatants. However, in June 2008 the Supreme Court ruled that detainees being held at Guantánamo Bay have a Constitutional right to habeas corpus.

Other Illegal US Detention Facilities

Guantánamo is only one part of a wider detention regime removed from the protection of US and international law. Hundreds of detainees, for example, remain in indefinite detention without charge or trial at the US airbase at Bagram in Afghanistan, without access to lawyers or the courts. The US prison at Camp Bucca, in Iraq, has held up to 20,000 people at a time; these detainees have also been held without legal recourse. Over the years, detainees at Guantánamo, Bagram, Camp Bucca, other US military facilities, and secret CIA sites have been subjected to torture or other cruel, inhuman, or degrading treatment. Even after the administration said it wanted to close Guantánamo, detainees continue to be transferred to Bagram, confirming the camp's role at the heart of the US network of illegal detention.

Item/Activity #4

(10 minutes)

Materials: handout of Amnesty International's Recommendations for the closure of the detention center at Guantánamo Bay.

Future of Guantánamo/Accountability

Facilitator:

On June 12th, 2008, the US Supreme Court ruled in *Boumediene v. Bush* that foreign nationals held at Guantánamo are entitled, under the US Constitution, to habeas corpus. The Supreme Court called attempts by the administration and Congress to strip detainees of the right to habeas corpus unconstitutional. The Court also saw the substitute scheme established by the administration and Congress to replace habeas corpus proceedings as inadequate. The Supreme Court's judgment paves the way for the US government to begin to bring its detention policies and practices into compliance with US and international law.

Even though the stage has been set for detainees to challenge their detention, the Supreme Court did not address the constitutionality of the military commissions that are being used to try a limited number of Guantánamo detainees on charges of war crimes. Consequently the US government is pressing ahead with military commissions. On August 6, 2008, a military jury convicted Salim Hamdan of providing material support for terrorism -- though acquitting him of the much more serious conspiracy charges. In another sign that the administration has little regard for the rule of law, the Pentagon stated that it might continue to detain Hamdan after completes his sentence in January 2009.

Amnesty International believes that these tribunals do not meet international standards for fairness and impartiality, and that convictions under such tribunals are invalid.

Amnesty International's Recommendations

Participant Involvement: Go around the group and have participants read the recommendations out loud. Discuss each one to ensure participants understand the meaning and purpose of each recommendation.

- End immediately and permanently the US secret detention program, and close any secret detention facilities, wherever they are based.
- Release immediately all detainees held in the “war on terror,” including those held at Guantánamo, unless they are to be charged and given a fair trial.
- Pledge not to forcibly send released detainees to any country where they might face serious human rights abuses.
- Establish a fair and transparent process to assess the case of each detainee to be released, in order to establish whether they can return safely to their country of origin or whether another solution should be found.
- Charge those to be prosecuted with recognizably criminal offenses and provide them with a fair trial before an independent and impartial tribunal, such as a US federal court. There should be no recourse to the death penalty.
- Make inadmissible in any proceedings any information obtained under torture or other cruel, inhuman or degrading treatment or punishment. Such information should only be permitted in cases against those responsible for such treatment.

Facilitator Summary: As you can see from AI's recommendations, we are focused on a system based on justice and holding those accountable for any unlawful acts they have committed.

Taking Action! Part I – Legislative Advocacy (30 minutes total)

Item/Activity #5 (5 minutes)

A = be Accurate (part I)

An exercise of power: who is standing with you? Use the attached ABC's of Lobbying handout. Review with the group the first section under “A,” “Know Amnesty.” Explain that each volunteer can contact his/her regional office to find out the numbers of local and student groups in his/her state.

Item/Activity #6 (10 minutes)

A = be Accurate (part II)

Know your issue and your ask. Using the information learned over the last hour, ask the group to break up into pairs and highlight the main issues and asks for the Counter Terror with Justice Campaign. Come back together and ask one or two pairs to briefly articulate the main CTWJ issues and asks. At this point, there will be questions such as, “what if I am asked a question that I can't answer?” Respond to those concerns, highlighting that it's ok to say “I will find out the answer and follow up with you.”

Item/Activity #7

(10 minutes) B = be Brief

60 second exercise. Facilitator presents the following scenario: The elevators in the Capitol building take about 30 seconds to reach the top floor. We will be generous and give you 60 seconds. You got on the elevator and found three members of Congress in there. They see your Amnesty candle button on your lapel and one asks you why you are here.

Each individual takes 2-3 minutes to write down:

- 1- How they will introduce themselves (let people know that they should introduce themselves by first and last name, and city (if it's smaller and not well know – give regional context)
- 2- Why they are there (I'm here today as a member of Amnesty International.....)
- 3- The ask
- 4- Why they care about this issue

After writing their messages down, in the same pairs as above, they practice reciting their messages to each other.

Bring the group back together and ask one or two participants to say their 60-second message out loud. Then debrief: What is most important to get in those 60 seconds? [The 'hook' to get the MOC's attention, and the main issue and ask!]

Conclude by saying that you can use this 60 second message on a lobbying phone call, a face-to-face meeting, or in a letter to your Member of Congress.

Item/Activity #8

(5 minute lecture)

C = Be Courteous and D= Develop a Relationship

Be Courteous –

1- Explain that in most cases, especially when you first start doing legislative advocacy, you will be meeting with or speaking to a Member of Congress' (MOC) staff person, not the MOC him/herself. Often, these staff people are young, overworked, underpaid, and condescended to. At the same time, they have tremendous influence because they get to decide what issues and visits the MOC hears about. Therefore, 1- Be courteous to the staffer; address him/her by his/her name; 2- If the staffer does not know much about the issue, consider the visit an opportunity to educate the staffer and engage him/her in a positive way.

2 - If going to a face to face lobby visit, schedule your meeting two weeks in advance. Arrive early to the visit. Ask the MOC or their staff member how much time they have before starting the meeting so you know how much time you have to talk.

Develop a Relationship –

Review the "Develop a Relationship" section of the ABC's of lobbying handout.

Taking Action! Part II – Next steps

Item/Activity #9

(5 minutes)

Materials: refer participants to AIUSA's website that has the action guide that gives many examples of actions as well as sample letters and the paper Tear It Down petition and print out relevant materials for your group.

Facilitator: The action guide provides numerous ways for you to take action on this topic, but below here are some key actions.

1 - Go to www.tearitdown.org and sign Amnesty International's global petition to close Guantánamo and end illegal US detentions. Our goal is to get 500,000 people to sign the site. Take action and spread the word to your friends!

2 - Become a member of Amnesty International. To learn more, visit www.amnestyusa.org. Amnesty International works on other priorities in addition to Terror and Torture, such as Darfur, Abolish the Death Penalty, and Stop Violence Against Women. There are many ways that you can make a difference!

3 - Embassy Blitz: On October 26-31 activists around the country will fax and email blitz to target governments to accept Guantánamo detainees who have been cleared for release. Groups located near the embassies of target governments will also be asked to participate in rallies or vigils during the week of the blitz action.

4 - Write letters on behalf of those detained in Guantánamo, go to www.amnestyusa.org/ctwj for case sheets.

5 - Host your own teach-in.

Closing

Don't forget that you have the power to make a difference on this topic.

Question for participants: Are there any closing thoughts that anyone would like to share?

Facilitator: Thank you again for coming to the teach-in today!



Quotes about Guantánamo and Torture

"If it were up to me I would close Guantánamo not tomorrow but this afternoon... Essentially, we have shaken the belief that the world had in America's justice system... and it's causing us far more damage than any good we get from it."

-Colin Powell, former U.S. Secretary of State

www.reuters.com/article/newsOne/idUSN1043646920070610

"I'd like to see it shut down...I believe that from the standpoint of how it reflects on us that it's been pretty damaging."

-Admiral Michael Mullen, Chairman of the Joint Chiefs of Staff

www.miamiherald.com/guantanamo/story/378038.html

"Torture does not work."

-Porter Goss, former director of the CIA

www.usatoday.com/news/washington/2005-11-20-cia-detainees_x.htm

"I came to this job thinking that Guantánamo Bay should be closed."

-Robert M. Gates, Secretary of Defense

www.nytimes.com/2007/03/30/washington/30gitmo.html?scp=3&sq=robert+gates+guantanamo&st=nyt

"Cruelty disfigures our national character. It is incompatible with our constitutional order, with our laws, and with our most prized values ...there is no more fundamental right than to be safe from cruel and inhumane treatment. Where cruelty exists, law does not."

-Alberto Mora, former general counsel of the United States Navy

www.jfklibrary.org/Education+and+Public+Programs/Profile+in+Courage+Award/Award+Recipients/Alberto+Mora/Acceptance+Speech+by+Alberto+Mora.htm

"I have been hard pressed to find a situation where anybody can tell me that they've ever encountered the ticking-bomb scenario... a show like 24...makes all of us believe that this is real--it's not. Throw that stuff out, it doesn't happen."

-Jack Cloonan, FBI special agent from 1977 – 2002

www.foreignpolicy.com/story/cms.php?story_id=4193

"My hands were shackled behind my back, and my legs were shackled, too, and the last thing I saw before a hood was placed over my head was them walking towards the room where my wife and children were sleeping. And I told them, "Don't go in there, please." That was the last thing, the last words that I said in my house."

-Moazzam Begg, former Guantánamo detainee

http://www.democracynow.org/2006/7/31/enemy_combatant_moazzam_begg_on_his

"The difference between us and the enemy is how we treat the enemy."

-Rear. Adm. John Hutson, former Navy lawyer

www.upi.com/SecurityTerrorism/view.php?StoryID=20060119-04756-2616r



Newspaper Editorials on Torture¹

Throughout 2007, more and more editorial boards took the view that torture was a liability, for a host of reasons. For some, the damage to America's image was too high a price to pay. Others suggested that torture was partly responsible for inflaming Iraqi resistance, with deadly consequences for American troops.

- "Torture is back. In fact, it never left the building." – **Philadelphia Inquirer**, Oct. 5, 2007
- "This is shameful.... America's leaders have sunk, in effect, to debating how many fingernails can be pulled out before it becomes torture." – **St. Louis Post-Dispatch**, Oct. 9, 2007
- "Democrats and Republicans in Congress should show some mettle and demand greater accountability from the Bush administration – if not only for itself and the rule of law, then for the sake of America's reputation." – **Dallas Morning News**, Oct. 9, 2007
- "Torture, by any other name, is torture, whether it be simulated drowning through 'waterboarding' or other harsh tactics used by interrogators to extract information from prisoners." – **Denver Post**, Dec. 11, 2007
- "Torture is immoral and illegal...and completely inconsistent with our basic principles as Americans, and there is no shame in saying so loud and clear for all the world to hear." – **San Diego Union-Tribune**, Dec. 15, 2007

The only four exceptions to a total ban among the top 35 newspapers surveyed here include the Wall Street Journal, the New York Post, and the New York Daily News, which dismiss the furore over torture, and waterboarding in particular, as a partisan attempt to discredit the administration. The fourth, the Chicago Tribune, is equivocal, allowing torture only "in a case of extreme and imminent threat to the nation." Otherwise, it too believes that Congress should legislate to "require all 16 U.S. intelligence agencies to abide by the Army Field Manual's prohibition against waterboarding. That's sound policy and the right message to send to the rest of the world."

The trend in 2008, however, is clearly with the abolitionists (31 of the top 35):

- "In a war on terror that is largely a battle for hearts and minds, the United States has to practice the bedrock values of human rights it touts." – **USA Today**, Feb.13, 2008
- "What the United States needs now is a ringing condemnation of torture, and a bell-clear return to standards of decency and humanity." – **Anchorage Daily News**, Feb. 17, 2008
- "[T]he United States, by validating torture as a tool of interrogation, has become a less civilized nation." – **Washington Times**, March 24, 2008
- "When it comes to torture, the Bush administration wants the United States to have it both ways. President Bush believes America can be a country governed by laws, even though it may break the law under special circumstances. This is a morally bankrupt position that diminishes America's stature in the world, and puts U.S. citizens and soldiers at risk. Moreover, it is not necessary. The United States can protect itself without breaking U.S. or international law.... Congress should adapt rules that make it clear to agents, soldiers and the president: The United States can protect itself without torturing people. We don't torture. Period." – **Miami Herald**, April 29, 2008

¹ Carroll, Sherman, 2008. "U.S. Editors Support Total Ban on Torture."



Case Study: Maher Arar

On September 26th, 2002 Maher Arar, a Canadian citizen who immigrated from Syria, was taken into custody by the U.S. Immigration and Naturalization Service (INS) at Kennedy Airport on his way home to Canada after visiting his wife's family in Tunisia. He was questioned about his alleged links to al-Qaeda for 9 hours without a lawyer and then removed to the Metropolitan Detention Center in New York.

Awakened by U.S. officials in the early hours of October 8th, 2002 he was told that he would be deported to Syria where torture and incommunicado detention are commonplace for political prisoners. He was never given a hearing nor did the Canadian consulate, his lawyer or his family know of his fate. Expulsion in such circumstances, without a fair hearing, and to a country known for regularly torturing their prisoners, violates the U.S. Government's obligations under international law, specifically the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

After a brief stopover in Jordan where he was shackled and beaten, he was then driven to Syria and taken to the "Far Falestin", the Palestine Branch of Syrian military intelligence, known for the routine torture of political prisoners. While there he was severely beaten with electrical cable during six days of interrogation, and threatened with electric shocks and the "metal chair" - a torture device that stretches the spine. Eventually he says he broke down and signed a document falsely confessing to having been in Afghanistan.

He reports he was held alone in a tiny, basement cell without light, which he called "the grave", for more than 10 months. A small grate in the ceiling opened up into a hallway above. Through it cats and rats urinated on him. There was no furniture in the cell, only two blankets on the floor. He had no exposure to natural light for the first six months.

Canadian consular officials visited Arar in detention, but were never allowed to speak to him alone. Between April 22 and August 14, 2003 they were not permitted to see him at all despite numerous requests.

On October 5th, 2003, the eve of his trial before the State Security Court, Mr. Arar was suddenly released to the Canadian Consulate in Damascus by Syrian authorities. The next day he was flown home to Canada to be reunited with his wife and two young children.

On February 5th, 2004 the Canadian government established the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar. This marks the first time that a government has launched an independent review of the post 9/11 security laws and practices.



Amnesty International's Recommendations

Amnesty International urges members of Congress to publicly call for and support legislation mandating the permanent closure of the detention facilities at Guantánamo and the end of illegal U.S. detentions.

- Support the passage of legislation aimed at closing the detention center at Guantánamo Bay.
- End immediately and permanently the U.S. secret detention program, and close any secret detention facilities, wherever they are based.
- Release immediately all detainees held in the “war on terror,” including those held at Guantánamo, unless they are to be charged and given a fair trial.
- Announce that the United States will not resort to secret detention, unlawful transfer of detainees between countries (rendition) or enforced disappearance in counter-terrorism operations.
- Pledge not to forcibly send released detainees to any country where they might face serious human rights abuses.
- Establish a fair and transparent process to assess the case of each detainee to be released, in order to establish whether they can return safely to their country of origin or whether another solution should be found.
- Charge those to be prosecuted with recognizably criminal offenses and provide them with a fair trial before an independent and impartial tribunal, such as a U.S. federal court. There should be no recourse to the death penalty.
- Make inadmissible in any proceedings any information obtained under torture or other cruel, inhuman or degrading treatment or punishment. Such information should only be permitted in cases against those responsible for such treatment.
- Ensure that all U.S. officials desist from further undermining the presumption of innocence in relation to the Guantánamo detainees and others captured in the context of the “war on terror.”
- Repeal or substantially amend the Military Commissions Act of 2006 in line with international law as it denies the right to challenge detentions, does not guarantee fair trial rights, and entrenches impunity for human rights violations.
- Invite the five UN experts previously denied unconditional access—four Special Rapporteurs and the chairperson of the Working Group on Arbitrary Detention—to visit without restrictions Guantánamo and other U.S.-run detention centers. The experts’ ability to talk privately with detainees should also not be restricted.
- Offer unrestricted access to international human rights organizations, including Amnesty International.
- Provide prompt and adequate reparation, including restitution, rehabilitation and fair and adequate financial compensation, to released detainees.



COUNTER TERROR WITH JUSTICE ABC'S OF LOBBYING

A	<p>Be Accurate</p> <ul style="list-style-type: none">• Know Amnesty<ol style="list-style-type: none">1. You are representing Amnesty International, a global human rights movement which has over 2.2 million members worldwide and over 400,000 members in the United States.2. Amnesty International is a Nobel Peace Prize winning organization that has helped to free over 40,000 prisoners of conscience.3. You are concerned, many people are concerned, and this is why your Member of Congress should also be concerned.• Know the issue• Know your ask
B	<p>Be Brief</p> <ul style="list-style-type: none">• Be brief during visits, phone calls, and in letters• Be SPECIFIC about the action that needs to be taken
C	<p>Be Courteous</p> <ul style="list-style-type: none">• Human rights involves acknowledging the rights of all individuals, including those in power, even if they disagree with you• Keep a positive attitude - no matter what the response, remember that you have made your voice heard.
D	<p>Develop a Relationship</p> <ul style="list-style-type: none">• Know your audience – find out your Member of Congress' voting record, her/his position on this issue, the committees on which s/he sits, and any other relevant background information.• Listen and ask questions - find out the interests of your Member of Congress and his or her staff. Ask questions and make a connection.• Engage – why are you passionate about this issue?• Be PERSISTENT - Follow up with a thank you note after any meeting. You can also send an email with more information reinforcing your ask.• Report Back - share your experience with the Government Relations and Advocacy Department, your regional office, and Amnesty members in your area.