

MILITARY TRAINING 101: HUMAN RIGHTS AND HUMANITARIAN LAW

The United States government trains approximately 100,000 foreign police and soldiers from more than 150 countries each year in approximately 275 military schools and installations offering over 4,100 courses. One of the purported benefits of this training is that it instills respect for human rights and democratic institutions in foreign security personnel. Yet, the vast majority of US training courses and programs do not include specific instruction on human rights or humanitarian law obligations that soldiers must obey.

It is vital that the US military mainstream human rights and humanitarian law into all foreign military and police training. Such instruction should be mandatory for all US and foreign trainees attending courses, and it should be reinforced through operational exercises.

Old course list*

- How to get around the Laws of War
- Clandestine Jails: Keeping Them Secret
- How to detain suspects and avoid proper procedures for arrest, trial and conviction
- Torture & Blackmail
- Human Resource Exploitation: Use of Truth Serum and Other Drugs
- Execution and Bounty Payments for Enemy Dead
- The Family as a Point of Pressure: Kidnapping and arresting your target's family members
- "Neutralizing" Political Leaders and Inconvenient Civilians

* These are imagined course titles based on information in the following declassified training materials: School of the Americas (SOA) "torture training" manuals, used 1982 - 1991; training instructions used in the 1960s by the Army's Foreign Intelligence Assistance Program, entitled "Project X," the CIA's "Human Resource Exploitation Training Manual-1983," and the CIA's "KUBARK Counterintelligence Interrogation," dated July 1963.

Much of the current U.S. military's counterinsurgency doctrine and training manuals are classified; thus, it is not clear how U.S. trainers identify and discuss threat assessments with foreign military trainees today. Further, while the US Army said it stopped distributing the SOA "torture training" manuals in 1991, it did not recover all of those already in the field in Latin America.

Courses we'd like to see required

- International Humanitarian Law and the Geneva Conventions
- Universal Declaration of Human Rights and International Human Rights Law
- Treatment of Prisoners of War
- Laws of War and Conduct in Combat
- Unlawful orders - What To Do: case studies of combat situations
- The International Criminal Court: Cases Before the Court
- Protection of Civilian Persons in Time of War
- UN Convention Against Torture

... as part of mainstreaming international human rights and humanitarian law education into all US foreign military training.

* Thanks to citizen activist pressure, the US Army has made changes to the curriculum of SOA-WHINSEC. Some of these "courses we'd like to see" are currently taught at the school. However, lacking comparable scrutiny and pressure, the rest of the US-based foreign military training system has escaped similar scrutiny and curriculum changes.

Sources:

- Amnesty International USA, *Unmatched Power, Unmet Principles: The Human Rights Dimensions of US Training of Foreign Military and Police Forces* (New York: Amnesty International USA Publications, 2002).
- Dana Priest, "U.S. Instructed Latins on Executions, Torture: Manuals Used 1981-92 Pentagon Reveals," *The Washington Post*, September 21, 1996, p. A1.
- "Army Denies Use of Improper Training Manuals," *Columbus Ledger-Enquirer*, July 6, 1996.
- Lisa Haugaard, "Declassified Army and CIA Manuals Used in Latin America: An Analysis of Their Content," (Washington, DC: Latin America Working Group, February 1997). Available at: <http://www.lawg.org/manuals.htm>



*Unmatched Power, Unmet Principles:
The Human Rights Dimensions of US Training
of Foreign Military and Police Forces*
www.amnestyusa.org



The US government must improve oversight, transparency, and accountability of US training of foreign forces.

Priority Areas for Action*

Based on the findings of *Unmatched Power, Unmet Principles: The Human Rights Dimensions of US Training of Foreign Military and Police Forces*, Amnesty International USA recommends that the US government:

1. Increase transparency and accountability of the training provided to foreign militaries. AIUSA's research suggests that operational military training is at times provided to foreign forces that can reasonably be assumed to contribute to human rights violations in some instances. In the case studies in this report, such information came to light largely as a result of concerted campaigns by nongovernmental organizations. Transparency and accountability to the US public and US Congress about these programs should not be left to chance.

2. Strengthen background vetting of trainees. The Leahy Law requiring background screening of trainees has been expanded since its introduction in 1996 to cover most forms of US government-financed military and police training. While the Departments of State and Defense have made considerable progress in implementing this law, several areas of concern remain.

3. Mainstream human rights and humanitarian law education into all foreign military training.

- The US military should integrate human rights and humanitarian law into all training courses at US-based military institutions that include foreign military, security and police personnel. This instruction should be mandatory for all US and foreign trainees attending courses, and it should be reinforced through operational training exercises. Currently, for the great majority of foreign military trainees, no such instruction is required. WHINSEC-SOA's core human rights program and the Investigative Criminal Investigative Training and Assistance Program's (ICITAP) partnership with John Jay College could serve as models for some 275 US institutions providing training to foreign military and law enforcement officers.
- The US Departments of State and Defense should evaluate existing Expanded International Military Education and Training (E-IMET) courses and promote and encourage the development of more specialized and intensive E-IMET courses with additional explicit human rights and international humanitarian law focus. The leadership of the Departments of State and Defense must ensure that US military aid allocated for E-IMET courses is supported -- not belittled by the US armed services training with foreign militaries, to ensure the intent and value of the E-IMET program.

4. Provide more oversight of US training provided to foreign militaries.

- The US Department of State should develop a more coordinated system for allocating military, security and police training to foreign governments. In particular, the US Department of State should make a considered policy decision about what kind of training is appropriate for each recipient nation, taking into account the political-military and law enforcement context of the recipient nation; the human rights situation, particularly if there is active armed conflict; and US law and foreign policy.
- The US Department of State should also provide oversight of and policy guidance for the use of US Special Operations Forces (SOF) for training of foreign forces, especially training involving regular (conventional) forces. Given the nature of SOF missions, it is especially important that such training be reconciled with US law and foreign policy, as well as the political-military and human rights context of the recipient nation.
- The US government should track the performance of the graduates of its training courses and assess their compliance with human rights and humanitarian law.

5. Investigate and suspend the School of the Americas/WHINSEC and introduce strong human rights safeguards in all US military, security and police training schools. Changes to the institution and its curriculum do not absolve the US government of responsibility for identifying and prosecuting those responsible for human rights violations perpetrated by the School of the Americas, including past and current US personnel responsible for having drafted, approved, or taught with manuals that advocate illegal tactics such as torture. The US Government should take immediate steps to establish an independent commission to investigate into the past activities of the SOA and its graduates, particularly the use of these manuals in SOA training and the impact of such training. Pending the publication of the findings of the independent commission of inquiry, training at the WHINSEC-SOA should be suspended. The independent commission of inquiry should recommend appropriate reparations for any violations of human rights to which training at SOA contributed, including criminal prosecutions, redress for victims and their families, and a public apology. To help further prevent abuses, the US Congress should adopt legislation that would require the Secretary of Defense to review and certify that all US military, security, and police courses and training manuals are consistent with US obligations under international human rights and humanitarian law.

*This is an abbreviated list. For the full list of Priority Areas for Action, please see Amnesty International USA's report *Unmatched Power, Unmet Principles: The Human Rights Dimensions of US Training of Foreign Military and Police Forces* (New York: Amnesty International USA publications, 2002).