

Center for Constitutional Rights

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://ccrjustice.org/resource-senate-select-committee-intelligence-ssci-cia-torture-report>

Campaign and Advocacy

On December 9, 2014, the Senate Select Committee on Intelligence (SSCI) released a partially declassified [executive summary](#) and the [conclusions and findings](#) of its inquiry into the CIA's post-9/11 interrogation and detention program. The Report shows that after 9/11 the CIA engaged in a sophisticated program of calculated, aggressive, and egregious state-sanctioned torture, and lied about how the program operated and the utility of the information obtained. High-level government officials authorized, justified, and covered up these monstrous crimes. This was torture, plain and simple. President Obama himself [publicly admitted](#) so as did prominent members of Congress.

For more than a decade, the Center for Constitutional Rights has represented victims of the U.S. torture program and fought to hold those responsible for these policies accountable. The release of the executive summary of the SSCI report was a key step towards greater transparency of the CIA program, but it only went so far.

119 men were named in the Report, and 23 of them remain detained at Guantanamo. The Center for Constitutional Rights represents some of those men: [Majid Khan](#), [Guled Hassan Duran](#), and [Sharqawi Al Hajj](#).

The Executive Summary is just the tip of the iceberg. The full report is over 6,700 pages, and needs to be made public. In 2015, the government declassified some of Majid Khan's personal recollections of his experience in secret detention information that goes even further into his treatment than what was outlined in the summary a year earlier. As more information has become available over the years, we learn of more brutality, which is why there must be greater transparency about what happened in the CIA torture program. The public deserves to know the full story.

According to U.S. domestic law and international human rights treaties, like the Convention Against Torture (CAT), by which the U.S. is bound, torture is illegal and cannot be prosecuted. "No exceptional circumstances whatsoever, whether a state of war or a threat or war, internal political instability or any other public emergency, may be invoked as a justification of torture." - CAT, Article II

The Department of Justice has failed to investigate the evidence in the report, as well as new evidence that has emerged since the release. Criminal prosecutions are critical to send a message to future officials, to the world, and to the victims of these policies, that the United States will not condone or accept torture and war crimes committed by its highest authorities. Prosecutions can provide a measure of justice for the survivors and victims of torture and abuse. No executive order, policy change or corrective legislation will provide such a lasting deterrence.

The culture of violence, secrecy, dehumanization of perceived enemies and impunity that became formalized in the immediate aftermath of 9/11 continues. To date, not a single high-level official has been held accountable for these crimes within the United States.

Our representation of individual clients continues in habeas proceedings in federal court and the Guantanamo military commissions, and CCR has also brought cases against high-level government officials to foreign courts [Germany, France, Canada and Spain](#) under principles of [universal jurisdiction](#). The principle of "universal jurisdiction" allows national authorities of any state to investigate and prosecute people for certain serious international crimes like torture even if they were committed in another country because they are of such exceptional gravity that they affect the fundamental interests of the international community as a whole.

In 2018, CCR [submitted a filing](#) to the International Criminal Court (ICC) on behalf of two victims in support of the Prosecutor's request to open a formal investigation into crimes in and related to the armed conflict in Afghanistan. The filing draws on public information about the treatment, including torture, that Guled Hassan Duran and Sharqawi Al Hajj endured in CIA black sites, proxy detention, and DOD facilities.

Media

New York Times Editorial Board, [A Detainee Describes More C.I.A. Torture](#) (June 5, 2015)

Wells Dixon, [The Torture of Majid Khan](#), Al Jazeera (June 22, 2015)

Democracy Now!, ["These are War Crimes": Shocking Details Emerge of U.S. Resident Majid Khan's Torture by CIA](#) (June 4, 2015)

David Rhode, [Exclusive: Detainee alleges CIA sexual abuse, torture beyond Senate findings](#), Reuters (June 2, 2015)

Baher Azmy, [To prevent torture, prosecute torture](#), MSNBC (December 8, 2014)

Matt Eisenbrandt and Katherine Gallagher, [Canada should investigate Dick Cheney for war crimes](#), Toronto Star (October 29, 2013)

Katherine Gallagher, [*Damn Right, George Bush Should Face Criminal Proceedings for Waterboarding*](#), The Guardian (November 17, 2012)

Katherine Gallagher, [*"Universal Jurisdiction in Practice: Efforts to Hold Donald Rumsfeld and Other High-level United States Officials Accountable for Torture."*](#) Journal of International Criminal Justice (November 2009),

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