

Physicians for Human Rights

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

<https://phr.org/our-work/resources/calculating-the-immeasurable-somali-torture-victim-wins-15-million-in-civil-damages/>

Public Facing Advocacy Writing

Jillian Tuck, JD on August 23, 2013

This week an Ohio judge awarded \$15 million to Abukar Hassan Ahmed, a Somali constitutional law professor and human rights advocate, following a civil trial in which a Physicians for Human Rights (PHR) volunteer doctor delivered testimony crucial to the case. The compensation follows a [November 2012 decision](#) that found defendant Colonel Abdi Aden Magan, former chief of investigations for Somalias National Security Service (NSS), responsible for torture, cruel treatment, and arbitrary detention. Ahmed was detained and interrogated by the NSS for several months in the 1980s, during which he suffered brutal beatings, sexual humiliation, and water torture.

Crucial to the awarding of damages was the testimony of PHR volunteer [Dr. Coleen Kivlahan](#), a family physician with over twelve years of experience working with victims of human rights abuses. Dr. Kivlahan examined Ahmed to document scars left by his torturers and assess his ongoing physical and psychological suffering. Mr. Ahmed had objective signs consistent with torture which made testifying on his behalf quite straightforward, said Kivlahan. She found that Ahmed continues to experience pain and bladder dysfunction as a result of his injuries, in addition to chronic signs of post-traumatic stress disorder. Her testimony featured prominently in the judges decision.

Humbled to be part of the case, Dr. Kivlahan said Mr. Ahmed is a brilliant, articulate gentleman who told his story with unwavering courage. Despite the physical and psychological consequences of his extreme torture and humiliation, he relentlessly pursued justice for himself and other survivors.

The judge admitted that it is no easy task to quantify damages for human rights abuses and acknowledged that monetary compensation would never adequately redress the indignities Ahmed suffered. Still, the remedy sends an important message to human rights violators that they cannot live in the United States with impunity. It also marks the first time a member of the NSS has been held accountable for acts committed under the brutal military dictatorship that ruled Somalia for decades.

The lawsuit was filed in 2010 by the [Center for Justice and Accountability](#) under the Alien Tort Claims Act (ATCA). The ATCA is a powerful tool through which noncitizen victims of human rights abuses can seek civil remedies in U.S. courts. A part of American law since 1789, the ATCA grants federal courts jurisdiction to hear cases alleging violations of the law of nations or of a treaty signed by the United States. The ATCA can hold accountable both state actors and transnational corporations.

PHR will continue to support attorneys litigating cases under the ATCA and applauds all those involved in Ahmeds case for their innovative strategies in bringing justice to victims and holding perpetrators accountable.

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