

Center for Constitutional Rights

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

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Public Facing Advocacy Writing

December 12, 2008, New York This week, the Senate Armed Services Committee released a bi-partisan report almost two years in the making on the abuse of detainees in U.S. custody, proving, beyond dispute, that Donald Rumsfeld was directly responsible for abusive interrogation techniques used abroad.

The Center for Constitutional Rights (CCR), the International Federation for Human Rights (FIDH), and the European Center for Constitutional and Human Rights (ECCHR) have filed a total of three cases against Rumsfeld and others in Germany and France under universal jurisdiction laws, for the torture of detainees in Iraq, Afghanistan, Guantanamo, and in secret sites. Plaintiffs had demonstrated that Rumsfeld, in violation of the Convention against Torture, was responsible for having directly and personally crafted and ordered the use of "harsh" interrogation techniques constituting torture. The complaints, accompanied by several hundred pages of evidence, also alleged that such techniques were implemented under Rumsfeld's supervision, and that, starting in 2002, he personally managed several torture sessions of terrorist suspects.

Today, the Senate Committees report reaffirms these facts and stresses the illegality and ineffectiveness of the techniques in question.

After reviewing thousands of documents, this bi-partisan committee confirmed that senior officials are directly responsible for ushering in one of the darkest chapters in our nations history and the loss of our moral authority in the eyes of the world. This report re-asserts that the torture program came out of deliberate decisions made at the top, with explicit approval given by Rumsfeld and other officials for inhumane treatment of prisoners, and was not merely the result of action taken a few soldiers at Abu Ghraib, said **Michael Ratner, CCR President**. He added: There is no question that Rumsfeld and the others must be held individually accountable, and it must be before a court of law. There must be consequences for their illegal activities. A special prosecutor should be appointed. To do otherwise is to send a message of impunity that will only embolden future administrations to again engage in serious violations of the law.

FIDH President Souhayr Belhassen said It is no news that Donald Rumsfeld and other high-ranking Bush administration officials are personally responsible for the torture of detainees since 9/11. But it is truly significant that a United States Senate bi-partisan Committee, years later, is finally coming to terms with this reality, accepts it, and denounces it. To not follow up on this report with effective prosecutions of those quoted in the report starting with Rumsfeld would be absolutely scandalous to the public, to the whole international community, and to the victims of these brutal techniques which have still not seen justice and still suffer the consequences of these treatments.

Wolfgang Kaleck, Secretary General of ECCHR added: In many European countries prosecutors and courts are investigating and prosecuting kidnapping and torture that were part of the CIA 'Extraordinary Rendition Program,' because the crimes partly took place on European territory or were directed against European citizens. That is a good development. We now demand that President-Elect Obama reveals the whole truth about the US torture program, ensures that victims get reparations, and that higher-ups are held accountable as war criminals.

The decision in Germany to dismiss the groups' criminal complaint filed in 2006 on behalf of 12 plaintiffs is currently being reviewed by Frankfurt's High Regional Court.

The Center for Constitutional Rights works with communities under threat to fight for justice and liberation through litigation, advocacy, and strategic communications. Since 1966, the Center for Constitutional Rights has taken on oppressive systems of power, including structural racism, gender oppression, economic inequity, and governmental overreach. Learn more at ccrjustice.org.

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