

# Human Rights Watch

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

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We must all, like President George W. Bush, share a "deep disgust" at the pictures of U.S. military personnel subjecting Iraqi detainees to humiliating treatment. The problem, however, is that this does not appear to be an isolated incident.

Across the world, the United States is holding detainees in offshore and foreign prisons where allegations of mistreatment cannot be monitored. It has also been accused of sending terror suspects to countries where information has been beaten out of them.

The classic case, of course, has been Guantanamo, Cuba, which the Bush administration deliberately chose as a detention facility for more than 700 detainees from 44 countries in an attempt to put them beyond the reach of the U.S. courts - and of any courts, for that matter. The U.S. government has argued that U.S. courts would not have jurisdiction over these detainees even if it they were being tortured or summarily executed.

But Guantanamo may not be the worst problem; indeed, it may even be a diversion from more extreme situations. Perhaps out of concern that Guantanamo will eventually be monitored by the U.S. courts, the Bush administration does not hold its most sensitive and high-profile detainees there. Terrorism suspects like Ramzi bin al-Shibh and Khalid Shaikh Mohammed are detained instead in undisclosed locations outside the United States, with no access to Red Cross or other visits.

In Iraq, we now have pictures of American soldiers degrading captives. The brazenness with which the soldiers conducted themselves, snapping photographs and flashing the "thumbs-up" sign as they abused prisoners, suggests they felt they had nothing to hide from their superiors. Indeed, there are now reports that their higher-ups in military intelligence urged such behavior to create better conditions for interrogation.

This is all the more disturbing because the United States has failed to provide clear information on its treatment of 10,000 civilians held in Iraq - and has provided no information at all for at least 200 so-called "high security detainees."

In Afghanistan, the United States is also holding civilians in a legal black hole at a number of off-limits detention facilities - with no tribunals, no legal counsel and no family visits.

Human Rights Watch has presented compelling evidence that there, too, U.S. personnel have committed inhumane and degrading acts against detainees. Released detainees have said that U.S. forces severely beat them, doused them with cold water and subjected them to freezing temperatures. Three people have died in U.S. custody there, and two of the deaths were ruled homicides by U.S. military doctors who performed autopsies. The Department of Defense has yet to explain adequately the circumstances of any of these deaths.

And then there are the so-called "renditions" of suspects to countries where they are tortured. In one case, Maher Arar, a Syrian-born Canadian in transit from a family vacation through John F. Kennedy airport in New York, was detained by U.S. officials and sent, against his wishes, to Syria, a country where torture is systematic. There, Arar was interrogated and, he alleges, tortured repeatedly during a 10-month confinement in an underground dungeon before returning to Canada.

The Bush administration has still not answered charges leveled in The Washington Post which, citing numerous unnamed U.S. officials, described the rendition of captured Al Qaeda suspects from U.S. custody to other countries, such as Uzbekistan, Pakistan, Egypt, Jordan, Saudi Arabia and Morocco, where they were tortured or mistreated. These countries, like Syria, are ones where the United States itself has criticized the practice of torture.

The sordid photos from Iraq and reports that the behavior was actually encouraged confirm that systematic changes in the U.S. treatment of prisoners are needed immediately. The United States must finally investigate and publicly report on allegations of abuse by its forces

in Iraq and Afghanistan as well as persistent accounts that suspects sent to other countries have been tortured.

From Guantanamo to Iraq and Afghanistan, the United States must also ensure that people taken into custody are fairly treated in accordance with international legal standards, such as the Geneva conventions. In particular, it must stop holding detainees in legal "black holes" where its conduct cannot be monitored.

Reed Brody is special counsel with Human Rights Watch in New York.

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