

Human Rights Watch

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

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The Republican candidate for president of the United States speaks and writes approvingly of so-called enhanced interrogation techniques. He is referring to a program run by the US Central Intelligence Agency (CIA) that subjected people the US detained after the September 11, 2001 attacks to what amounts to torture.

Among other practices, government agents forced detainees into painful positions for days with no sleep, poured water through their noses and mouths until they nearly asphyxiated, and chained them to the ceilings of their cells.

Brazil has its own torture problem, despite many legal advances in recent years. The tribute paid by the parliamentarian Jair Bolsonaro to the vote on the impeachment process against President Dilma Rousseff to a notorious torturer from the period of the dictatorship leaves no doubt: Brazilian politicians, too, attempt to justify what is unjustifiable.

The abuse of detainees by Brazilian public security officials remains one of the most pressing human rights problems in this country. In 2014, Human Rights Watch documented 64 cases of serious violations carried out by security forces or prison personnel. During legal hearings in the past year, 2,700 detainees alleged ill-treatment or torture at the hands of police. A 2014 poll showed about a fifth of all Brazilians supported using torture if it were the only way to obtain evidence or punish criminals.

Apart from the dreadful speech of Bolsonaro, Brazilian politicians do not endorse the use of torture openly. It is particularly troubling that, in the United States, several candidates for president did. The rousing applause the candidates have gotten when voicing their support for torture is shameful.

The remaining Republican candidate, Donald Trump, has issued a written statement not only embracing enhanced interrogation but adding that nothing should be taken off the table when American lives are at stake. He later acknowledged that using at least some of these techniques would be illegal but vowed that he would work to change the law.

The CIA bears some of the blame for the way Trump and the earlier candidates see the issue. The main finding of a scathing study by the US Senate Intelligence Committee more than a year ago was that the use of enhanced interrogation techniques was an ineffective means of gathering useful intelligence. In response, the CIA admitted mistakes were made. However, it strongly refuted the Senate study's main finding and continues to insist that enhanced interrogation techniques, whether properly authorized or not, were useful.

President Barack Obama also deserves some of the blame. Although he ended the enhanced interrogation program, his administration has refused to prosecute anyone responsible for authorizing it or carrying it out or even for going beyond what was authorized. The two remaining Democratic Party candidates have condemned torture in general terms, but neither has said they would prosecute those involved in the program who were acting on government orders.

Overwhelmingly, experts agree that torture produces unreliable information, and that it undermines attempts to get detainees to cooperate. But that's not the only reason why nations should reject torture. They should do so because it is cruel and inhumane to abuse someone in custody. That is also why international conventions ban it, as do the laws of many countries, including the United States and Brazil.

Torture has destroyed the lives of detainees and done enormous damage to the reputation of the US. The use of enhanced interrogation techniques and the government's failure to reject them fully even now, have made it much harder for the US to advocate against abusive detention practices and other rights violations around the world.

The Obama administration still has time to demonstrate a clear US position on the illegality of the enhanced interrogation techniques. The most effective way to do that is by prosecuting those responsible for the torture.

The same holds true for Brazil. As long as impunity reigns, torture will persist.

A version of this article was published in the print version of weekly magazine Carta Capital.

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