

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **USA: Call to presidential candidates to commit to ending torture**

The two main candidates in the US presidential election should commit to working to prevent any torture and cruel, inhuman or degrading treatment of detainees in US custody. They should also undertake to establish an independent commission of inquiry into all the USA's interrogation and detention policies, Amnesty International said today as it released a new 200-page report on the issue of torture and ill-treatment by US forces in the "war on terror".

"In their presidential debates, President Bush and Senator Kerry failed to address the USA's treatment of detainees in Iraq, Afghanistan, Guantánamo and in secret locations elsewhere," Amnesty International noted. "Each candidate should now promise that, if elected, he will take prompt action to address this issue head on."

"Our central message is that the prevention of torture and ill-treatment is primarily a matter of political will," Amnesty International concluded. "With this in mind, we urge the presidential candidates to commit themselves to a commission of inquiry and the introduction of comprehensive safeguards against torture and ill-treatment."

Amnesty International's report -- *Human Dignity Denied: Torture and accountability in the 'war on terror'* -- traces patterns of human rights violations that run from Afghanistan to Abu Ghraib via Guantánamo Bay. It outlines how, despite the administration's claims that the atrocities of 11 September 2001 ushered in a "new paradigm" requiring "new thinking", the USA has fallen into a historically familiar pattern of violating human rights in the name of national security.

"The denial of *habeas corpus*, the use of incommunicado and secret detention -- in some cases amounting to "disappearance" -- and the sanctioning of harsh interrogation techniques are classic but flawed responses," Amnesty International said. "By lowering safeguards, demonizing detainees and displaying a disregard for its international legal obligations, the administration at best sowed confusion among interrogators and at worst gave the green light to torture and other cruel, inhuman or degrading treatment."

Amnesty International welcomes the official investigations and reviews initiated since the photographs from Abu Ghraib stirred the government into a more responsive mode than it had displayed to allegations of abuse raised over the previous two years. These investigations have punctured the administration's assertions that the torture and ill-treatment were restricted to Abu Ghraib and a few

aberrant soldiers.

However, Amnesty International believes that a broader commission of inquiry is still needed, not least because the reviews so far conducted cannot be seen as genuinely independent, have not been comprehensive in scope, and have included a tolerance for abusive interrogation techniques. The commission of inquiry would benefit from international input, such as from the United Nations Special Rapporteur on torture.

Amnesty International has been calling for such a commission since last May. Such a commission, composed of credible experts, could be appointed by Congress, but must be independent of government. To ensure full accountability, it should have the necessary powers to be able to fully investigate all US "war on terror" detention policies, practices and facilities worldwide. It should be able to investigate all levels and agencies of government. To date, the activities of the Central Intelligence Agency, for example, remain shrouded in secrecy, as does the issue of alleged secret transfers of detainees between countries.

"Many questions remain unanswered and torture-facilitating policies remain in place," Amnesty International said. "The US administration's repeated assertions that human dignity is a non-negotiable right ring hollow in the face of its failure to ensure a fundamental change in direction after the scandal of Abu Ghraib."

As well as reiterating Amnesty International's call for a commission of inquiry, the report suggests a framework by which the USA could work towards preventing future torture and ill-treatment of detainees in its custody. This framework is Amnesty International's 12-Point Program for the Prevention of Torture by Agents of the State, developed from more than 30 years of working against torture. The report shows that the USA failed to maintain basic safeguards against torture and ill-treatment. It offers more than 65 recommendations for the authorities.

Point 1 of the 12-Point Program is "Condemn Torture" -- the highest officials of the country should make clear their absolute and unequivocal opposition to torture and ill-treatment under any circumstances, including war and any other public emergency. Government documents that have come into the public domain in recent months show that the US administration utterly failed in this regard as it embarked on the "war on terror".

"What these documents show is a two-faced strategy to torture," Amnesty International said. "It has been a case of proclaim your opposition to torture in public, while in private discuss how your President can order torture and how government agents can escape criminal liability for torture."

There has been a marked reluctance among members of the US administration -- whose previously secret documents discussed how to narrow the definition of torture -- to call what happened in Abu Ghraib torture, preferring the term "abuse".

A government's unequivocal condemnation of torture and other cruel, inhuman and degrading treatment must mean what it says. If it genuinely opposes torture and ill-treatment, it must act accordingly. From this simple proposition, all other 11 points of Amnesty International's *12-Point Program for the Prevention of Torture by Agents of the State* follow.

"The US administration has itself repeatedly stated that respect for human rights is the route to peace and security," Amnesty International said. "Yet its detention and interrogation policies suggest that it sees fundamental human rights as an obstacle. It must change its approach."

The USA and other countries face serious security threats, including those posed by groups determined to pursue their fight by abusing fundamental human rights without restraint. Governments have a duty to protect people's rights from such threats. In so doing, however, governments must not lose sight of other human rights and of their obligation to respect them. Freedom from torture and other cruel, inhuman or degrading treatment is a fundamental human right. Under international law, no exceptional circumstances whatsoever may be invoked to justify violation of this right. The USA has played an important role in the development of this legal prohibition. It should not allow this long-established system of protection to unravel.

**For more information see: *USA: Human dignity denied -- Torture and accountability in the "war on terror"*, available at <http://web.amnesty.org/library/Index/ENGAMR511452004>.**

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