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TORTURE AND ILL-TREATMENT IN THE 'WAR ON TERROR'

'Compromising human rights cannot serve the struggle against terrorism.' UN Secretary-General Kofi Annan, 10 March 2005

'No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment' Universal Declaration of Human Rights

Stop the torture

Torture or any other treatment that is cruel, inhuman or degrading is repugnant, immoral and illegal, and is ALWAYS wrong.

Torture and ill-treatment not only harm the victim. They brutalize the perpetrator and the societies that allow it to happen.

Disturbingly, the ban on torture and ill-treatment — one of the most universally accepted human rights protections — is being undermined. Following the attacks in the USA on 11 September 2001, the US government declared "war on terror". Since then, governments have not only been torturing and ill-treating prisoners, they have also been attempting to justify such abuses.

The US government, while publicly condemning torture, has authorized "coercive" techniques that amount to torture or are cruel, inhuman or degrading. The techniques are illegal. Always.

The USA's conduct influences governments everywhere, giving comfort to those who torture and contradicting the very values the "war on terror" is supposed to defend.

We have seen the pictures from Abu Ghraib prison in Iraq. We can read the words of torture victims who have been rounded up in the "war on terror". What has happened to them is cruel and inhuman. It degrades us all. It must be stopped.

Amnesty International condemns unreservedly all acts of terror, whatever the cause of the perpetrators. Deliberately attacking civilians can never be justified and flouts the most fundamental principles of humanity.

[Box]

Mohammed C., a Chadian born in Saudi Arabia, was just 14 when arrested in Pakistan in October 2001. After three weeks he was handed to US officials. He says he was hooded, shackled, beaten and threatened with death. In January 2002 he was transferred to Guantánamo Bay, where he says he was beaten, deprived of sleep, racially abused and burned with a cigarette. In September 2005 Mohammed, by now an adult, was still being held without charge in Guantánamo Bay.

Amnesty International is a worldwide movement of people who campaign for internationally recognized human rights. It is independent of any government, political persuasion or religious creed.

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human

rights.
[End box]

‘We’ll break you’

In the name of the “war on terror” people have been snatched by security forces and forcibly transported around the world. Some have “disappeared”. Some have been held incommunicado for years without charge or trial. Some have died.

Many have been ill-treated or tortured. Some have suffered grotesque torture involving sexual abuse, electric shocks and other sadistically cruel treatment.

Survivors also describe being deprived of sleep, hooding, isolation, stripping, threats, the use of dogs, and being held in stressful positions. All these methods were approved by the US government.

These techniques might not sound too harmful, but in reality their effects are devastating, particularly when they are inflicted in combination and for long periods. For example, when hooding is combined with exposure to loud music, victims quickly become disturbed, and after 40 minutes most begin to hallucinate.

Many influential people in the USA and elsewhere, including government officials, lawyers and academics, have defended the use of such methods. They contend that the aim of breaking a human spirit is legitimate if the victim is suspected of “terrorism”.

All forms of torture and ill-treatment attack the identity and humanity of the victim with appalling consequences.

The victims suffer pain and terror. Many endure long-term mental and physical problems, which also put terrible strain on their families.

[Quote]

“The stories they told were remarkably similar — terrible beatings, hung from wrists and beaten, removal of clothes, hooding, exposure naked to extreme cold, naked in front of female guards, sexual taunting by both male and female guards/interrogators, some sexual abuse (rectal intrusion), terrible uncomfortable positions for hours.”

[end quote]

Notes of a US lawyer after meeting Kuwaiti detainees in Guantánamo Bay in January 2005

Outsourcing torture

Governments have used the rhetoric of the “war on terror” in an attempt to justify sending people, without any reference to a court, to other countries where they are likely to be tortured or ill-treated. Some governments have sought “diplomatic assurances” from the destination country that the suspect will not be ill-treated. Such guarantees are worthless.

Why should anyone trust the word of a government that says its agents don’t torture prisoners, despite overwhelming evidence to the contrary?

Torture is wrong and illegal wherever it happens and whoever does it. The ban on sending anyone to a country where they may be tortured is as absolute as the ban on torture itself.

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What is torture?

At the heart of the definition of torture in the UN Convention against Torture is the intentional infliction of severe physical or mental pain or suffering for purposes such as obtaining information or a confession, or punishing, intimidating or coercing someone.

There is not always agreement on whether a particular form of abuse amounts to torture or to other cruel, inhuman or degrading treatment (ill-treatment). However, all forms of torture and other ill-treatment are absolutely prohibited under international law, including the laws of war.

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Nagem Sadun Hatab, a 52-year-old Iraqi, died in US custody on 6 June 2003 in Nasiriya, Iraq, as a result of “asphyxia due to strangulation”. The autopsy also found bruising and six fractured ribs. Army investigators said that he had been kicked by soldiers on 4 June. The next day he was reportedly lethargic and covered in faeces. The jail commander ordered that he be stripped and he was left naked outside in the sun and heat for the rest of the day and into the night.

[end box]

[Quote]

“They took me, covered me, put me in a vehicle and sent me somewhere. I don’t know where. It was at night. Then from there to the airport right away... They starved me; they handcuffed me, there was no food... I was surprised that the Americans would do such a thing. It shocked me.”

[End Quote]

Jamil El Banna, a Jordanian national and long-term UK resident who was detained by US personnel in Gambia and ended up in Guantánamo Bay. Here he is describing his treatment in Bagram, Afghanistan.

[Photo caption]

Cover: Protest outside the US Supreme Court, Washington DC, February 2005

© REUTERS/Larry Downing

Left: A detainee held in an outside solitary confinement cell at Abu Ghraib prison near Baghdad, Iraq, June 2004

© AP Photo/John Moore

Overleaf: Camp X-Ray, Guantánamo Bay, 2002

© AP Photo/Andres Leighton

[end photo captions]

[Quote]

‘Make no mistake: every regime that tortures does so in the name of salvation, some superior goal, some promise of paradise. Call it communism, call it the free market, call it the free world, call it the national interest, call it fascism, call it the leader, call it civilisation, call it the service of God, call it the need for information; call it what you will, the cost of paradise... will always be hell for at least one person somewhere, sometime.’

[End quote]

Ariel Dorfman, Chilean writer, May 2004

Torture is always wrong

Whoever the victim, whatever the justification, trying to break the will of someone is always wrong. That is why all governments of the world agreed — more than 50 years ago — that no one should ever be tortured, no matter how heinous their crimes or how extreme the circumstances. Over the decades Amnesty International has witnessed a simple truth — torture is never limited to “just once”. Once you allow torture or ill-treatment in one circumstance, for example in an attempt to stop a bomb exploding, it is soon used on people who might plant bombs, or on people who know someone who might plant bombs, and so on. The methods used tend to escalate in severity — the slap that doesn’t work becomes a beating. If the beating doesn’t work, what comes next? Moreover, if torture and ill-treatment are no longer absolutely prohibited, the attitude that such abuses can be acceptable spreads throughout the law enforcement system. Soon, people suspected of petty crimes are being treated the same as terror suspects. In short, once the door is opened to torture or ill-treatment, their use quickly becomes institutionalized. And once that happens, no one is safe.

What is Amnesty International doing?

Amnesty International is mobilizing people to stop the use of torture and other ill-treatment in the “war on terror”.

PROHIBIT!

All governments should unequivocally declare that they prohibit and condemn all forms of torture and other cruel, inhuman or degrading treatment and will not allow their use in any circumstances whatsoever.

PROTECT!

No government should send anyone to a country where they risk torture and ill-treatment, even if it has “diplomatic assurances” that the person will be safe.

All governments should end secret, incommunicado or indefinite detention without trial and should provide all detainees with the safeguards required by international law.

All places of detention used to hold “war on terror” suspects should be open to international and independent investigation.

PROSECUTE!

All governments should make clear that they will establish independent inquiries into any allegations of torture or ill-treatment, and will prosecute any official who commits, orders, condones or acquiesces in torture or ill-treatment.

[quote]

From there [the Afghans] sold me to the Americans... Whenever we spoke to the interrogators we were punished. We were hit and tortured... When I arrived in Cuba... I got hit on the shoulder and it was very painful, it was dislocated or something. They threatened to break it monthly...'

[end quote]

Yasin Qasem Muhammad Ismail, a Yemeni held in Guantánamo Bay

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What you can do

DENOUNCE the use of torture and other cruel, inhuman or degrading treatment in all circumstances.

CHALLENGE the argument that torture is being used to defend your security. Torture doesn't prevent terror; torture is terror.

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