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Call for Independent Investigations into War Crimes of Torture in Iraq

Recent evidence of torture and ill-treatment by Coalition Forces in Iraqi prisons echo the frequent reports of human rights violations received by Amnesty International during the past year. Urge the US and UK authorities to support a thorough, independent and public investigation; to hold accountable all who have committed acts of torture, cruel, inhuman and degrading treatment, and also those who have contributed to a command culture that condones such abuses; and to ensure that all Coalition Forces know that such violations will not be tolerated.

Iraq: Amnesty International reveals a pattern of torture and ill-treatment

The publication of photographs of Iraqi detainees being physically and mentally abused at Abu Ghraib prison has caused shock and outrage across the world. However research carried out by Amnesty International (AI) reveals that the abuses allegedly committed by US agents in the Abu Ghraib prison facility in Baghdad are not isolated cases.

For over a year AI has been investigating human rights violations including allegations of torture and ill-treatment of detainees by Coalition forces. Testimonies from former detainees indicates a similar pattern of abuse. Detainees were forced to lie face down on the ground, handcuffed, hooded or blindfolded during arrest. During interrogation they were reportedly repeatedly beaten, restrained for prolonged periods in painful positions, while some were also subjected to sleep deprivation, prolonged forced standing, and exposed to loud music and bright lights.

Addressing these incidents must be a priority if the Iraqi people are to live free of brutal and degrading practices. For Iraq to have a sustainable and peaceful future, human rights must be a central component of the way forward.

Cases of torture and ill-treatment

Khreisan Khalis Aballey, aged 39, was arrested at his home in Baghdad on 30 April 2003 with his 80-year-old father. Coalition forces were apparently looking for 'Izzat al-Duri, a senior member of the Ba'ath Party. Khreisan Aballey insisted that he had no knowledge of his whereabouts. During his interrogation at Baghdad's airport detention facility, he was made to stand or kneel facing a wall for seven-and-a-half days, hooded, and handcuffed tightly with plastic strips. At the same time a bright light was placed next to his hood whilst distorted music was played. Throughout this period he was deprived of sleep and fell unconscious some of the time. He reported that at one time a US soldier stamped on his foot, tearing off one of his toenails. The prolonged kneeling made his knees bloody, so he mostly stood; when, after seven-and-a-half days he was told he was to be released and that he could sit, one of his legs was the size of a football. He continued to be held for two more days, apparently to allow his health to improve, and was released on 9 May 2003.

Abdallah Khudhran al-Shamran, a Saudi Arabian national, reported after his release that he had been subjected to electric shocks. He was arrested with six others of different nationalities in al-Rutba in early April 2003 by US and allied Iraqi forces while travelling from Syria to Baghdad. Following the arrest all were blindfolded with hands tied behind their backs and forced to walk for three hours. Upon reaching an unknown site, Abdallah al-Shamran alleged that he was subjected to beatings and electric shocks. Other torture methods reportedly included being suspended from his legs and having his penis tied. He also

reported sleep deprivation through the playing of constant loud music. The arresting authorities accused him of being a “terrorist”.

Shakir, a 30-year-old taxi driver from Basra was arrested with his friend by British soldiers on 10 April 2003. He was unarmed but his friend had a weapon. Shakir alleged that British soldiers hit him on the mouth and broke one of his teeth. While he was on the ground five soldiers beat him for about 10 minutes. He was kicked and they use their rifles to beat him. Shakir and his friend were taken to the South Club in al-Tahsiniya near al-Saymar. He said: “they put a hood over my head and tied my hands behind my back, every now and then one or two soldiers would come and kick me, it lasted all night. When I asked for water, they beat me, I was bleeding from the mouth but they would not take me to the bathroom to wash it”. The next day he was taken to hospital where he was examined by British military doctors. After four days in hospital he was moved to the Coalition detention facility in Um Qasr where he said he was well treated.

Deaths in custody

Among detainees who died in custody, some died in circumstances suggesting that torture was the cause of death. The case of **Baha Dawud al-Maliki** is well documented. He was among eight Iraqis hotel workers arrested on 14 September 2003 by British soldiers in Basra. All eight were reportedly subjected to severe beatings by the soldiers. Three days later Baha’s father was handed his son’s body, severely bruised and covered in blood. Another detainee, Kefah Taha, was admitted to hospital in critical condition, suffering renal failure and severe bruising. Amnesty International raised concerns about Baha’s death and the other detainees with the UK’s Ministry of Defence in a letter sent on 22 October 2003. A Ministry of Defence official responded in November 2003 to say that the case was being investigated by the Royal Military Police.

Pattern of brutality and cruelty at Abu Ghraib facility

“In Abu Ghraib they used to bring the male prisoners to this bathroom/interrogation room, completely naked and with a black hood over their heads”

These were the words of a 50-year-old woman, **H** (name withheld), interviewed by Amnesty International near Baghdad in February 2004. She was arrested by US soldiers in September 2003 and accused of hosting Ba’athists in her house which she denied. At her first place of detention her US interrogator told her through an interpreter: “if you do not confess you will never see your children”. After 22 days **H** was transferred to Tikrit where she was interrogated for four days. After 11 days there she was transferred to Abu Ghraib prison, near Baghdad, where she spent 26 days. She and other detainees left Tikrit at 3am, reached Abu Ghraib and were left without food for almost 20 hours **H** said: “Inside a bathroom in front of our cell -- which measured about 2 by 3 metres-- the American intelligence, day and night were conducting their investigations with the male inmates. They used to bring the male prisoners to this bathroom/interrogation room, completely naked and with a black hood over their heads. The hood had a string attached to it which an American soldier would hold in order to pull the prisoner in the direction he wanted him in”.

She remembered an incident when Abu Ghraib was once hit with mortars, some of the inmates held in the tents cheered and demonstrated. In order to punish them, she said, some Americans brought in 14 male inmates naked and handcuffed, asked them to open their legs, beat them up from behind until they fell on the floor, again asked them to open their legs and beat them from behind in a way to hurt their genital organs. There were many screams. During that night 14 inmates were sent to the hospital. Another punishment was to make them walk on all four, and soldiers would pull them from the hoods covering their heads

“Whenever they brought in a new prisoner, they would always bring in a block of ice”

H could not see what went on inside the interrogation room but she could hear the screams and some of the questions asked during the interrogations. Whenever interrogators brought in a new prisoner, they would always bring in a block of ice. She did not know why they brought the ice or how they used it during interrogation. But the interrogation sessions always included the ice block and were followed, a few hours later, by a visit to the prisoner, who by then would be unconscious, by two doctors, an American and an Iraqi. The prisoners were invariably taken out of the interrogation room unconscious.

After 26 days in Abu Ghraib H was moved to another prison in Baghdad "Tasfirat al-Ressafa". She was released on 22 January 2004 and remains traumatised by her experience in prison. During her time in prison her children had to sell some the furniture in order to survive.

Amnesty International's documentation of abuses

Amnesty International has presented consistent allegations of brutality and cruelty by US agents against detainees in Iraq and other US detention facilities across the world at the highest levels of the US Government, including the White House, the Department of Defense, and the State Department for the past two years.

In July 2003 Amnesty International issued the report *Iraq: Memorandum on concerns relating to law and order*, which formed the basis for talks with officials of the Coalition Provisional Authority (CPA) in Baghdad. Among the concerns raised with the officials were allegations of torture of detainees.

On 14 November 2003 Amnesty International wrote to Secretary of Defense Ronald Rumsfeld following press reports that eight Marine Corp reservists had been charged in connection with allegations of ill-treatment of Iraqi detainees. In the letter Amnesty International also sought information about any other investigations relating to excessive use of force, torture or ill-treatment of Iraqi civilians, including detainees, by military officials. No response has been received.

In an open letter to US President George W Bush, on 7 May 2004, Amnesty International said that abuses allegedly committed by US agents in the Abu Ghraib facility in Baghdad were war crimes and called on the administration to fully investigate them to ensure that there is no impunity for anyone found responsible regardless of position or rank.

The United Nations Committee against Torture, the expert body established by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has expressly held that restraining detainees in very painful positions, hooding, threats, and prolonged sleep deprivation are methods of interrogation which violate the prohibition on torture and cruel, inhuman or degrading treatment.

Act now

Send immediate appeals to the US and UK authorities, as occupying powers, using the below letter as a guide.

Dear

I am deeply concerned by recent evidence of torture and ill-treatment emerging from Abu Ghraib prison in Iraq. Research by Amnesty International suggests that this is not an isolated incident and that these reported violations have exacerbated an already fragile situation in Iraq. Amnesty International has interviewed former detainees in Iraq and Afghanistan who have reported being subjected to torture or other cruel, inhuman or degrading treatment during interrogation and detention, and has repeatedly brought this information to the attention of your government.

I urge you to support an independent investigation into all allegations of torture and ill-treatment and public disclosure of the findings, and to cooperate with the United Nations High

Commission for Human Rights and others as they gather information on these abuses. Such investigations should not just cover the direct perpetrators, but must include the higher chain of command responsibility.

The use of techniques amounting to torture or ill-treatment during interrogations must stop now. These include such techniques as holding detainees naked, making them assume painful positions, sleep deprivation, exposure to extreme cold, and hooding. The use of incommunicado detention must also be ended, with all detainees given immediate access to families and lawyers, and regular access to detention facilities given to the ICRC and human rights organizations.

The torture and ill-treatment of Iraqis violates the US and UK's obligations under domestic and international law. Addressing these incidents must be a priority if the Iraqi people are to live free of brutal and degrading practices. For Iraq to have a sustainable and peaceful future, human rights must be a central component of the way forward.

Thank you for your attention to this matter and I look forward to your response.

Sincerely,

Addresses for appeals:

The Honorable Donald Rumsfeld
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Fax: +1 703 697 8339
Email: public@defenseink.mil
Salutation: Dear Secretary of Defense

Rt Hon Geoffrey Hoon MP
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Email: public@ministers.mod.uk

Please include your FULL postal address if sending this appeal by email

Salutation: Dear Secretary of State

Image caption

Razor wire in front of observation tower, Abu Ghraib prison, Baghdad

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