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New report documents US war crimes over three administrations

By Ed Hightower

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On Tuesday, the Constitution Project, a Washington, DC think tank, released a 600-page report by its “Task Force on Detainee Treatment” documenting decades of war crimes committed by US imperialism and its military and intelligence agencies.

The 11-member Task Force spent two years generating the report, interviewing over 100 individuals, including former detainees, military and intelligence operatives, interrogators and politicians in numerous countries. The report details abuse of detainees during the Clinton, Bush and Obama administrations, and geographically covers such mistreatment in Iraq, Afghanistan, Guantanamo Bay and the so-called black sites where the US government hides detainees in secret locations in foreign countries.

The report relies on publicly available documents, since the Task Force had no access to records kept by the military on the treatment of detainees. Nor could it compel testimony from witnesses or participants, since it lacked the power to issue subpoenas.

Nonetheless, the Task Force amassed an enormous and overwhelming quantity of evidence on US crimes. The report's introduction contains this indictment of the American government's conduct in the so-called "war on terror":

"The events examined in this report are unprecedented in US history. In the course of the nation's many previous conflicts, there is little doubt that some US personnel committed brutal acts against captives, as have armies and governments throughout history. But there is no evidence there had ever before been the kind of considered and detailed discussions that occurred after September 11, directly involving a president and his top advisors on the wisdom, propriety and legality of inflicting pain on some detainees in our custody."

The introductory remarks go on to note: "Despite this extraordinary aspect, the Obama administration declined, as a matter of policy, to undertake or commission an official study of what happened, saying it was 'unproductive' to 'look backwards' rather than forward."

The report offers a glimpse into the manner in which the judiciary has adapted itself to and facilitated the ever-expanding powers of the executive branch of government. Characterizing the role of the federal courts during the post-9/11 Bush administration, the report makes the following point:

"Courts, ever anxious about the possibility of defiance undermining their authority, generally allowed the administration to delay action." In other words, according to the Task Force, the courts have largely gone along with the anti-democratic measures enacted in the name of the "war on terror" out of fear that the executive branch might simply ignore their rulings, effectively establishing an open presidential dictatorship.

A comprehensive account of the details of the report goes beyond the scope of a single article, and the *World Socialist Web Site* intends to devote additional articles to the material laid out in this important study. But by way of introduction, the section headings provide a sense of the report's scope. They include: "Detention at Guantánamo," "The Legal Process of The Federal Government After September 11," "Rendition and the 'Black Sites,'" "The Role of Medical Professionals in Detention and Interrogation Operations," "True and False Confessions: The Efficacy of Torture and Brutal Interrogations."

The report declares that the US government "indisputably" engaged in torture, which was approved by "the nation's highest officials." Specifically, the Task Force rejects the notion that stress positions, sleep deprivation, exposure to continuous loud music, water boarding and other "enhanced interrogation tactics" do not amount of torture under US and international law.

As of late 2012, the Task Force writes, the US military was still capturing around 100 persons every month for detention at the notorious Baghram Air Base prison in Afghanistan, many of them grabbed in night raids.

The report notes that “extraordinary renditions” became a regular practice during the Clinton administration in the late 1990s. Richard Clarke, the chief counter-terrorism adviser to Clinton, is quoted as saying Clinton approved every single “snatch” operation he was asked to review.

The Task Force declares that US personnel committed acts of torture and other cruel, degrading or inhumane acts at the CIA’s “black sites” against the victims of extraordinary rendition.

Following the 9/11 attacks, the report points out, military psychologists were told they had no obligation to follow any medical ethical standards aside from those handed down by the military itself.

The report notes that one of the first detainees in the “war on terror,” the supposed “20th hijacker” in the 9/11 attacks, Mohammed Al Qahtani, was interrogated for 20 hours per day for seven weeks. He was interrogated in stress positions with military working dogs present and held in solitary confinement. He was also questioned naked in front of female interrogators, led around on a leash and made to bark like a dog, over-injected with IV fluids in order to make him urinate on himself, and forced to wear women’s underwear.

An Army pathologist’s report on the in-custody death of a detainee known only as Daliwar at Bagram Air Base found that the prisoner’s legs were beaten so savagely that they became “pulpified,” and that his injuries resembled those of someone who had been run over by a truck. Daliwar, a 22-year-old taxi driver, was innocent of any crime.

A picture emerges of the preparations for a police state, from the more embryonic stage under Bill Clinton to the more open and developed stage under George W. Bush and Barack Obama.

The Constitution Project’s report documents the regular use of torture at the Guantanamo Bay internment camp, which has become a symbol of the brutality of American imperialism. Some 166 men have been detained there for years, most without having been accused of a crime, and all without a trial or basic due process of law. Many have tried to commit suicide. Six have succeeded.

The release of the new study coincided with a crackdown by US military guards at Guantanamo against a month-long hunger strike by as many as 100 detainees.

On Monday, the *New York Times* published a letter from current inmate Samir Naji al Hasan Moqbel, which sheds light on the savage treatment that he and his peers endure.

“I will never forget,” the inmate states, “the first time they passed the feeding tube up my nose. I can’t describe how painful it is to be force-fed this way. As it was thrust in, it made me feel like throwing up. I wanted to vomit, but I couldn’t. There was agony in my chest, throat and stomach. I had never experienced such pain before. I would not wish this cruel punishment upon anyone.”

The Task Force report points to the international legal condemnation of force-feeding detainees and recommends that the practice cease immediately.

The Constitution Project's report on detainee treatment is as an encyclopedia of criminality, although the study's liberal authors refrain from drawing substantive conclusions and offer only the most feeble recommendations.

But while they do not propose that anyone be prosecuted, their findings provide powerful evidence for war crimes proceedings against three US presidents and their subordinates, including cabinet members, Department of Justice lawyers, military commanders and intelligence officials.