

## **A study of “Torture and Prisoner Abuse” took place at Abu Ghraib**

An army investigation of conditions at Abu Ghraib concluded that prison guards had carried out “numerous incidents of sadistic, blatant and wanton abuse” for months. The Army is investigating reports of crimes committed at other detention facilities in Iraq. Giving people a humiliating experience, rape and murder are some very serious charges. The International Committee of the Red Cross warned U.S. formers in a report as the abuse of some prisoners in Iraq is “tantamount to torture” and added thus were sadistic, blatant and wanton criminal abuses. U.S. charged some soldiers with conspiracy, dereliction of duty, cruelty, maltreatment, assault and indecent acts.

But than, Officials of the International Committee of the Red Cross brought serious allegations of abuse, they found credible, disturbing evidence of mistreatment after interviewing with all the prisoners. The turth was that; the U.S. soldiers had practiced systematic and illegal abuse on Iraqi detainees!

Beatings, humiliation and soldiers having sex with female detainees were just the seen part of the iceberg, what appeared in the photos, were also including foreign prisoners to wear women’s underwear, pouring phosphoric liquid on prisoners, sodomizing a man with a chemical light and using dogs to intimidate detainees. Which were the other evidences of mistreatment to prisoners at Abu Ghraib.

The image of sadism symbolized what was going wrong in Iraq.

U.S. officials tried to portray the sordid scenes as the isolated acts of a few low ranking soldiers who were violating U.S. policy.

In one of the most infamous images from Abu Ghraib- one in which a hooded prisoner stands on a box with electrical wires connected to his arms and genitals. The photo could have been a textbook illustration of a classic torture method known as crucifixion. This kind of standing torture was used by the Gestapo and by Stalin.

Detainees under U.S. supervision in Iraq were stripped naked, covered with hoods, deprived of sleep and light and made to stand or sit in painful positions for extended periods. Some have been drugged. Sexual humiliation is not unheard of. They were physically and verbally abused under investigation and some of them also died during or after questioning.

None of those techniques are legal under strict readings of international law. The convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment is perhaps the most relevant legal baseline. Detainees should have been protected from cruel and unusual punishment. The Geneva Conventions are also quite clear : “Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind.”

Is there any reason to believe that discomfort, nudity and sexual humiliation actually persuade men to share their secrets?

While nothing compared to the horrors of Saddam Husein’s regime, the actions of U.S. soldiers at Abu Ghraib unquestionably violated international law.

If we ever have the courage to determine what happened in Abu Ghraib within the legal perspective, we shall first explain the meaning of “torture” :

The legal sources on “torture” generally address two separate acts- torture proper; and cruel, inhuman, or degrading treatment or punishment. The most authoritative definition of torture is that found in the Convention.

It defines torture as:

**“.. any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purpose as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”**

This definition of torture is quite broad, though not without ambiguity. The list of purposes for which the severe pain is inflicted on the victim is illustrative only, thus permitting a wide array of sadistic activity to qualify legally as torture. The perpetrator of the torture need not be a public official, though someone in authority must have authorized or acquiesced in the action. The Convention also rejects any justifications for torture, such as public emergency or state of war. The Convention does not define cruel, inhuman or degrading treatment or punishment ( nor does the Declaration), reflecting the inability of states to agree upon a definition or upon the concomitant criminality.

The Convention Against Torture defines torture as any act that inflicts severe pain or suffering, physical or mental. When the U.S. ratified the convention in 1990, it defined torture as anything cruel and unusual under the Eight Amendment. The convention prohibits countries from handing over captives to another state known to employ torture.

The Third Geneva Convention forbids subjecting POWs to “cruel treatment and torture, outrages upon personal dignity and humiliating treatment”

The techniques used in Abu Ghraib by U.S. soldiers can be listed as follows :

**- Sleep Deprivation: Interrogators keep captives awake for days with bright lights and loud music.**

**- Uncomfortable Positions: Prisoners are forced to stand or squat in positions for hours or are held in cramped spaces where they cannot sit, stand or lie down.**

**- Shock Therapy: Prisoners are beaten, stripped, doused with water and subjected to drastic swings in temperature. They are often made to remain naked even while watched by female guards.**

**- Sensory Deprivation: To disorient captives, interrogators place hoods, duct tape or darkened goggles over their eyes for hours at a time.**

Human Rights says that the lesson from what happened in Abu Ghraib, is that degrading or cruel treatment is never ok, not even if thousands of lives are at stake.

And with respect to what Human Rights says, for many Iraqis, no amount of U.S. generosity or contrition will ever erase the taste of humiliation conveyed by the photographs, especially given the symbolic importance of **Abu Ghraib. It was Saddam's torture chamber once, than it was America's!**