

BREAKING NEWS: Torture Victims to Initiate Private Prosecution against George W. Bush on his Arrival in Canada

By [Center for Constitutional Rights \(CCR\)](#)

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In Canada: Matt Eisenbrandt, CCIJ, (604) 569-1778, meisenbrandt@ccij.ca

Djia Mambu, CCIJ, (613) 744-7667 x266, dmambu@ccij.ca

In U.S.: Jen Nessel, CCR, (212) 614-6449, press@ccrjustice.org

David Lerner, Riptide Communications, (212) 260-5000,
dlerner@riptideonline.com

Torture Victims to Initiate Private Prosecution against George W. Bush on His Arrival in Canada

Canadian Government Has Legal Obligation under UN Convention Against Torture to Prosecute Alleged Perpetrators of Torture, Rights Groups Say

Prominent Individuals and Organizations Sign on in Support

October 19, 2011, Surrey, BC—Tomorrow, four individuals who allege they were tortured during George W. Bush's tenure as president of the United States will lodge a private prosecution in Provincial Court in Surrey, British Columbia against the former president, who is due to visit Canada for a paid speaking engagement at the Surrey Regional Economic Summit on October 20. The four men will take this step after repeated calls to the Canadian Attorney General to open a torture investigation of George Bush went unanswered. Human rights groups and prominent individuals will sign on in support of the effort.

The four men, **Hassan bin Attash**, **Sami el-Hajj**, **Muhammed Khan Tumani** and **Murat Kurnaz**, each endured years of inhumane treatment including beatings, chaining to cell walls, being hung from walls or ceilings while handcuffed, lack of access to toilets, sleep,

food and water-deprivation, exposure to extreme temperatures, sensory overload and deprivation, and other horrific and illegal treatment while in U.S. custody at military bases in Afghanistan and/or at the detention facility at Guantánamo Bay. While three of the plaintiffs have since been released without ever facing charges, Hassan Bin Attash still remains in detention at Guantánamo Bay, though he too has not been formally charged with any wrongdoing.

“I lost my family, my father, my health, my education because of George Bush. Although I was completely innocent, I lost nearly 10 years of my life,” said former Guantánamo detainee and torture survivor **Muhammed Khan Tumani**. “I suffered greatly while detained at Guantánamo, and continue to suffer. I have restrictions on my travel and cannot travel to see my father who is ill. George Bush must face justice and be held accountable for his actions, which continue to cause me and so many harm.”

On September 29, the Center for Constitutional Rights (CCR) and the Canadian Centre for International Justice (CCIJ) submitted a [69-page page draft indictment](#) to Attorney General Robert Nicholson, along with more than 4,000 pages of supporting material, setting forth the case against Bush for torture. The indictment, incorporated into the criminal information lodged today, contends that by Bush’s own admission he sanctioned and authorized acts that constitute torture under the Canadian criminal code and the Convention Against Torture (CAT).

Katherine Gallagher, a senior staff attorney at the Center for Constitutional Rights (CCR) who is assisting the plaintiffs, said, “George Bush’s brazen admission to authorizing torture techniques and unlawful detentions, including enforced disappearances, must not be met with indifference. His years of impunity must come to an end. Even if the United States has failed to meet its obligations to hold torturers accountable, Canada has an opportunity and a legal obligation to position itself on the right side of history and the law.”

Matt Eisenbrandt, legal director of the Canadian Centre for International Justice (CCIJ), who will submit the filing on men’s behalf, added, “Canadian law could not be clearer. If an alleged torturer is present in Canada, the government has the power to prosecute. As a signatory of the Convention Against Torture, Canada has an obligation to initiate an investigation when Mr. Bush sets foot in this country.”

More than 50 human rights organizations from around the world and prominent individuals signed on to support the call for George W. Bush’s prosecution, including former UN Special Rapporteurs on Torture, Theo van Boven and Manfred Nowak, the International Federation for Human Rights, and the Canadian-based International Civil Liberties Monitoring Group. A number of the human rights organizations which signed on are facing the on-going harms of the “counterterrorism” policies advanced under the Bush administration and then adopted or employed in their own countries.

Former UN Special Rapporteur on Torture, Manfred Nowak, said: “The main aim of the UN Convention Against Torture was to eradicate safe havens for persons who commit, order, or participate in acts of torture worldwide. States parties to the Convention, including Canada, have a legal obligation to arrest all persons suspected of torture with the aim of bringing them to justice. There is plenty of evidence that President Bush authorized enhanced interrogation methods against suspected terrorists, some of which clearly amount

to torture, such as waterboarding.”

Last February, the Center for Constitutional Rights, along with other human rights organizations, attempted to initiate criminal proceedings against Bush during a private speaking engagement in Geneva, but he canceled after news of the planned prosecution came to light. Following the cancellation, CCR and the European Center for Constitutional and Human Rights released the “[Bush Torture Indictment](#),” which can serve as the basis for country-specific indictments against Bush in any of the 147 countries that have ratified the UN Convention Against Torture or have universal jurisdiction laws for torture.

Prior to the filing of this case, CCR and the CCIJ twice (on [Sept. 29, 2011](#) and [Oct. 14, 2011](#)) petitioned Canadian Minister of Justice and Attorney General Robert Nicholson by letter to launch a criminal investigation against Bush during his October 20 visit to Canada, but received no response. George Bush and former U.S. vice president Dick Cheney both recently made trips to Canada, without any legal consequence.

A copy of the filing can be viewed in full [here](#). The Letter of Support is available in [English](#) and [French](#).

The Canadian Centre for International Justice works with survivors of genocide, torture and other atrocities to seek redress and bring perpetrators to justice. The CCIJ seeks to ensure that individuals present in Canada who are accused of responsibility for serious human rights violations are held accountable and their victims recognized, supported and compensated. For more information visit www.ccij.ca

The Center for Constitutional Rights, in addition to filing the first cases representing men detained at Guantánamo, has filed universal jurisdiction cases seeking accountability for torture by Bush administration officials in Germany, France and submitted expert opinions and other documentation to ongoing cases in Spain in collaboration with ECCHR. The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change. Further details regarding the Center for Constitutional Rights’ Bush Torture Indictment can be viewed at: <http://ccrjustice.org/ourcases/current-cases/bush-torture-indictment>. Visit www.ccrjustice.org. Follow @theCCR.

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