

Documents Obtained By ACLU Describe Charges Of Murder And Torture Of Prisoners In U.S. Custody

By [The American Civil Liberties Union](#)

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Newly Released Government Documents Show Special Forces Used Illegal Interrogation Techniques In Afghanistan

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NEW YORK – The American Civil Liberties Union obtained documents today from the Department of Defense confirming the military’s use of unlawful interrogation methods on detainees held in U.S. custody in Afghanistan. The documents from the military’s Criminal Investigation Division (CID), obtained as a result of the ACLU’s Freedom of Information Act (FOIA) lawsuit, include the first on-the-ground reports of torture in Gardez, Afghanistan to be publicly released.

“These documents make it clear that the military was using unlawful interrogation techniques in Afghanistan,” said Amrit Singh, an attorney with the ACLU. “Rather than putting a stop to these systemic abuses, senior officials appear to have turned a blind eye to them.”

Special Operations officers in Gardez admitted to using what are known as Survival, Evasion, Resistance and Escape (SERE) techniques, which for decades American service members experienced as training to prepare for the brutal treatment they might face if captured.

Today’s documents reveal charges that Special Forces beat, burned, and doused eight prisoners with cold water before sending them into freezing weather conditions. One of the eight prisoners, Jamal Naseer, died in U.S. custody in March 2003. In late 2004, the military opened a criminal investigation into charges of torture at Gardez. Despite numerous witness statements describing the evidence of torture, the military’s investigation concluded that the charges of torture were unsupported. It also concluded that Naseer’s death was the result of a “stomach ailment,” even though no autopsy had been conducted in his case. Documents uncovered today also refer to sodomy committed by prison guards; the victims’ identities are redacted.

“These documents raise serious questions about the adequacy of the military’s investigations into prisoner abuse,” added Singh.

The ACLU also obtained today a file related to the death of Muhammad Al Kanan, a prisoner held at Camp Bucca in Iraq. The file reveals that British doctors refused to issue a death certificate for fear of being sued for malpractice:

www.aclu.org/pdfs/safefree/20080416/CID_ROI_Bucca.pdf

In October 2003, the ACLU – along with the Center for Constitutional Rights, Physicians for Human Rights, Veterans for Common Sense, and Veterans for Peace – filed a request under the Freedom of Information Act for records concerning the treatment of prisoners in U.S. custody abroad. To date, more than 100,000 pages of government documents have been released in response to the ACLU's FOIA lawsuit.

Attorneys in the FOIA case are Lawrence S. Lustberg and Melanca D. Clark of the New Jersey-based law firm Gibbons, P.C.; Jameel Jaffer, Singh and Judy Rabinovitz of the ACLU; Arthur Eisenberg and Beth Haroules of the New York Civil Liberties Union; and Shayana Kadidal and Michael Ratner of the Center for Constitutional Rights.

In addition, many of the FOIA documents are also located and summarized in a recently published book by Jaffer and Singh, Administration of Torture. More information is available online at:

www.aclu.org/administrationoftorture

The documents received in the ACLU's FOIA litigation are online at:

www.aclu.org/torturefoia

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