

# Torture: An Executive Summary

By [Washington's Blog](#)

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[Washington's Blog](#)

Region: [USA](#)

Theme: [Crimes against Humanity](#), [Law and Justice](#), [Terrorism](#)

## What You Need to Know ..

There's a media storm regarding the Senate torture report ... appropriately.

But much of the report was redacted by the CIA and White House.

Here's what you need to know ...

Initially, the torture was [widespread and systemic](#).

As Glenn Greenwald [notes](#):

A wide array of torture techniques were approved at the highest levels of the U.S. Government and then systematically employed in lawless US prisons around the world -[at Bagram](#) (including [during the Obama presidency](#)), [CIA black sites](#), even to [US citizens on US soil](#). So systematic was the torture regime that a 2008 Senate report [concluded](#) that the criminal abuses at Abu Ghraib were the direct result of the torture mentality imposed by official Washington. American torture was not confined to a handful of aberrational cases or techniques, nor was it the work of rogue CIA agents. It was an officially sanctioned, worldwide regime of torture that had the acquiescence, if not explicit approval, of the top members of both political parties in Congress

And it [wasn't just bad guys](#) who were tortured:

- The commander of the Abu Ghraib prison in Iraq, Janis Karpinski, estimates that [90% of detainees in the prison were innocent](#)
- The number two man at the State Department under Colin Powell, Colonel Lawrence Wilkerson, says that [many of those being held at Guantanamo Bay were innocent, and that top Bush administration officials knew that they were innocent](#)
- U.S. military files [show](#) that many Guantánamo prisoners were held on the flimsiest grounds such as wearing a Casio watch, being a prisoner in a Taliban jail, driving cabs in certain geographic regions, or being Al Jazeera reporters
- Many state that those tortured were mainly [innocent farmers, villagers, or those against whom neighbors held a grudge. Indeed, people received a nice cash reward from the U.S. government for turning people in as "suspected](#)

[terrorists](#)" (and see [this movie](#))



## **Torture INTERFERES With Our Ability to Fight Terrorism, Obtain Intelligence Information and Protect Our National Security**

[Virtually all of the top interrogation experts – both conservatives and liberals](#) (except for those [trying to escape war crimes prosecution](#)) – say that torture doesn't work:

- [Army Field Manual 34-52 Chapter 1](#) says:

“Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results, may damage subsequent collection efforts, and can induce the source to say whatever he thinks the interrogator wants to hear.”

- The C.I.A.'s 1963 interrogation manual [stated](#):

Intense pain is quite likely to produce false confessions, concocted as a means of escaping from distress. A time-consuming delay results, while investigation is conducted and the admissions are proven untrue. During this respite the interrogatee can pull himself together. He may even use the time to think up new, more complex 'admissions' that take still longer to disprove.

- According to the Washington Post, the CIA's top spy – Michael Sulick, head of the CIA's National Clandestine Service – [said](#) that the spy agency has seen no fall-off in intelligence since waterboarding was banned by the Obama administration. “I don't think we've suffered at all from an intelligence standpoint.”
- The [CIA's own Inspector General](#) wrote that waterboarding was not “efficacious” in producing information

- A 30-year veteran of CIA's operations directorate who rose to the most senior managerial ranks (Milton Bearden) [says](#)(as quoted by senior CIA agent and Presidential briefer Ray McGovern):

It is irresponsible for any administration not to tell a credible story that would convince critics at home and abroad that this torture has served some useful purpose.

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The old hands overwhelmingly believe that torture doesn't work ....

- A former high-level CIA officer (Philip Giraldi) [states](#):

Many governments that have routinely tortured to obtain information have abandoned the practice when they discovered that other approaches actually worked better for extracting information. Israel prohibited torturing Palestinian terrorist suspects in 1999. Even the German Gestapo stopped torturing French resistance captives when it determined that treating prisoners well actually produced more and better intelligence.

- Another former high-level CIA official (Bob Baer) [says](#):

And torture — I just don't think it really works ... you don't get the truth. What happens when you torture people is, they figure out what you want to hear and they tell you.

- Michael Scheuer, formerly a senior CIA official in the Counter-Terrorism Center, [says](#):

"I personally think that any information gotten through extreme methods of torture would probably be pretty useless because it would be someone telling you what you wanted to hear."

- A retired C.I.A. officer who oversaw the interrogation of a high-level detainee in 2002 (Glenn L. Carle) [says](#):

[Coercive techniques] didn't provide useful, meaningful, trustworthy information...Everyone was deeply concerned and most felt it was un-American and did not work."

- A former top Air Force interrogator who led the team that tracked down Abu Musab al-Zarqawi, who has conducted hundreds of interrogations of high ranking Al Qaida members and supervising more than one thousand, and [wrote](#) a book called *How to Break a Terrorist* [writes](#):

As the senior interrogator in Iraq for a task force charged with hunting down Abu Musab Al Zarqawi, the former Al Qaida leader and mass murderer, I listened time and time again to captured foreign fighters cite the torture and abuse at Abu Ghraib and Guantanamo as their main reason for coming to Iraq

to fight. Consider that 90 percent of the suicide bombers in Iraq are these foreign fighters and you can easily conclude that we have lost hundreds, if not thousands, of American lives because of our policy of torture and abuse. But that's only the past. Somewhere in the world there are other young Muslims who have joined Al Qaida because we tortured and abused prisoners. These men will certainly carry out future attacks against Americans, either in Iraq, Afghanistan, or possibly even here. And that's not to mention numerous other Muslims who support Al Qaida, either financially or in other ways, because they are outraged that the United States tortured and abused Muslim prisoners.

In addition, torture and abuse has made us less safe because detainees are less likely to cooperate during interrogations if they don't trust us. I know from having conducted hundreds of interrogations of high ranking Al Qaida members and supervising more than one thousand, that when a captured Al Qaida member sees us live up to our stated principles they are more willing to negotiate and cooperate with us. When we torture or abuse them, it hardens their resolve and reaffirms why they picked up arms.

He also [says](#):

[Torture is] extremely ineffective, and it's counter-productive to what we're trying to accomplish. When we torture somebody, it hardens their resolve ... The information that you get is unreliable. ... And even if you do get reliable information, you're able to stop a terrorist attack, al Qaeda's then going to use the fact that we torture people to recruit new members.

And he [repeats](#):

I learned in Iraq that the No. 1 reason foreign fighters flocked there to fight were the abuses carried out at Abu Ghraib and Guantanamo.

[And](#):

They don't want to talk about the long term consequences that cost the lives of Americans.... The way the U.S. treated its prisoners "was al-Qaeda's number-one recruiting tool and brought in thousands of foreign fighters who killed American soldiers.

- The [FBI interrogators](#) who actually interviewed some of the 9/11 suspects say torture didn't work
- Another FBI interrogator of 9/11 suspects [said](#):

I was in the middle of this, and it's not true that these [aggressive] techniques were effective

- A third former FBI interrogator — who interrogated Al Qaeda suspects — says categorically that [torture does not help collect intelligence. On the other hand he says that torture actually turns people into terrorists](#)

- A declassified FBI e-mail dated May 10, 2004, regarding interrogation at Guantanamo states "[\[we\] explained to \[the Department of Defense\], FBI has been successful for many years obtaining confessions via non-confrontational interviewing techniques.](#)" (see also [this](#))
- The FBI [warned](#) military interrogators in 2003 that enhanced interrogation techniques are "of questionable effectiveness" and cited a "lack of evidence of [enhanced techniques'] success.
- "When long-time FBI director Mueller was asked whether any attacks on America been disrupted thanks to intelligence obtained through "enhanced techniques", he responded "[I don't believe that has been the case.](#)"
- The Senate Armed Services Committee unanimously [found](#) that torture doesn't work, [stating](#):

The administration's policies concerning [torture] and the resulting controversies damaged our ability to collect accurate intelligence that could save lives, strengthened the hand of our enemies, and compromised our moral authority.

- [The military agency which actually provided advice on harsh interrogation techniques for use against terrorism suspects](#) warned the Pentagon in 2002 that those techniques would produce "unreliable information."
- General Petraeus [says](#) that torture is unnecessary
- Retired 4-star General Barry McCaffrey - who Schwarzkopf called he hero of Desert Storm - [agrees](#)
- The [number 2 terrorism expert](#) for the State Department says torture doesn't work, and just creates more terrorists.
- Former Navy Judge Advocate General Admiral John Hutson [says](#):

Fundamentally, those kinds of techniques are ineffective. If the goal is to gain actionable intelligence, and it is, and if that's important, and it is, then we have to use the techniques that are most effective. Torture is the technique of choice of the lazy, stupid and pseudo-tough.

He also [says](#):

Another objection is that torture doesn't work. All the literature and experts say that if we really want usable information, we should go exactly the opposite way and try to gain the trust and confidence of the prisoners.

- Army Colonel Stuart Herrington - a military intelligence specialist who interrogated generals under the command of Saddam Hussein and evaluated US

detention operations at Guantánamo - [notes](#) that the process of obtaining information is hampered, not helped, by practices such as “slapping someone in the face and stripping them naked”. Herrington and other former US military interrogators [say](#):

We know from experience that it is very difficult to elicit information from a detainee who has been abused. The abuse often only strengthens their resolve and makes it that much harder for an interrogator to find a way to elicit useful information.

- Major General Thomas Romig, former Army JAG, [said](#):

If you torture somebody, they'll tell you anything. I don't know anybody that is good at interrogation, has done it a lot, that will say that that's an effective means of getting information. ... So I don't think it's effective.

- Brigadier General David R. Irvine, retired [Army Reserve strategic intelligence officer who taught prisoner interrogation and military law for 18 years with the Sixth Army Intelligence School](#), says torture doesn't work
- The first head of the Department of Homeland Security - Tom Ridge - [says](#) we were wrong to torture
- The former British intelligence chairman [says](#) that waterboarding didn't stop terror plots
- A spokesman for the National Security Council (Tommy Vietor) [says](#):

The bottom line is this: If we had some kind of smoking-gun intelligence from waterboarding in 2003, we would have taken out Osama bin Laden in 2003.

- The Marines [weren't keen on torture](#), either
- As Vanity Fair [reports](#):

In researching this article, I spoke to numerous counterterrorist officials from agencies on both sides of the Atlantic. Their conclusion is unanimous: not only have coercive methods failed to generate significant and actionable intelligence, they have also caused the squandering of resources on a massive scale through false leads, chimerical plots, and unnecessary safety alerts ... Here, they say, far from exposing a deadly plot, all torture did was lead to more torture of his supposed accomplices while also providing some misleading “information” that boosted the administration's argument for invading Iraq.

- Neuroscientists have [found](#) that torture physically and chemically interferes with the prisoner's ability to tell the truth
- An Army psychologist - Major Paul Burney, Army's Behavior Science Consulting

Team psychologist –[said](#) (page 78 & 83):

was stressed to me time and time again that psychological investigations have proven that harsh interrogations do not work. At best it will get you information that a prisoner thinks you want to hear to make the interrogation stop, but that information is strongly likely to be false.

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Interrogation techniques that rely on physical or adverse consequences are likely to garner inaccurate information and create an increased level of resistance...There is no evidence that the level of fear or discomfort evoked by a given technique has any consistent correlation to the volume or quality of information obtained.

- An expert on resisting torture – Terrence Russell, JPRA’s manager for research and development and a SERE specialist – [said](#) (page 209):

History has shown us that physical pressures are not effective for compelling an individual to give information or to do something’ and are not effective for gaining accurate, actionable intelligence.

Indeed, it has been known for hundreds of years that torture doesn’t work:

- In the ancient Far East, torture was used as a way to [intimidate the population into obedience](#) (rather than a method for gaining information)
- As a former CIA analyst [notes](#):

During the Inquisition there were many confessed witches, and many others were named by those tortured as other witches. Unsurprisingly, when these new claimed witches were tortured, they also confessed. Confirmation of some statement made under torture, when that confirmation is extracted by another case of torture, is invalid information and cannot be trusted.

- Top American World War 2 interrogators [got more information using chess or Ping-Pong instead of torture than those who use torture are getting today](#)
- The head of Britain’s wartime interrogation center in London [said](#):

“Violence is taboo. Not only does it produce answers to please, but it lowers the standard of information.”

- The national security adviser to Vice President George H.W. Bush (Donald P. Gregg) [wrote](#):

During wartime service with the CIA in Vietnam from 1970 to 1972, I was in charge of intelligence operations in the 10 provinces surrounding Saigon. One of my tasks was to prevent rocket attacks on Saigon’s port. Keeping Saigon



safe required human intelligence, most often from captured prisoners. I had a running debate about how North Vietnamese prisoners should be treated with the South Vietnamese colonel who conducted interrogations. This colonel routinely tortured prisoners, producing a flood of information, much of it totally false. I argued for better treatment and pressed for key prisoners to be turned over to the CIA, where humane interrogation methods were the rule - and more accurate intelligence was the result.

The colonel finally relented and turned over a battered prisoner to me, saying, "This man knows a lot, but he will not talk to me."

We treated the prisoner's wounds, reunited him with his family, and allowed him to make his first visit to Saigon. Surprised by the city's affluence, he said he would tell us anything we asked. The result was a flood of actionable intelligence that allowed us to disrupt planned operations, including rocket attacks against Saigon.

Admittedly, it would be hard to make a story from nearly 40 years ago into a definitive case study. But there is a useful reminder here. The key to successful interrogation is for the interrogator - even as he controls the situation - to recognize a prisoner's humanity, to understand his culture, background and language. Torture makes this impossible.

There's a sad twist here. Cheney forgets that the Bush administration followed this approach with some success. A high-value prisoner subjected to patient interrogation by an Arabic-speaking FBI agent yielded highly useful information, including the final word on Iraq's weapons programs.

His name was Saddam Hussein.

- Top interrogators got information from a high-level Al Qaeda suspects through building rapport, even if they hated the person they were interrogating by [treating them as human](#)

Senator John McCain [explains](#), based upon his own years of torture:

I know from personal experience that the abuse of prisoners sometimes produces good intelligence but often produces bad intelligence because under torture a person will say anything he thinks his captors want to hear — true or false — if he believes it will relieve his suffering. Often, information provided to stop the torture is deliberately misleading.

According to the experts, torture is unnecessary even to prevent "ticking time bombs" from exploding (see [this](#), [this](#) and [this](#)). Indeed, a top expert says that [torture would fail in a real 'ticking time-bomb' situation](#). (And, no ... it [did NOT](#) help get Bin Laden).

In fact, torture [reduces our national security](#):

- The head of all U.S. intelligence [said](#):

"The bottom line is these techniques have hurt our image around the world," [Director of National Intelligence Dennis] Blair said in the statement. "The damage they have done to our interests far outweighed whatever benefit they gave us and they are not essential to our national security."



- A top counter-terrorism expert [says](#) torture increases the risk of terrorism (and see [this](#)).
- One of the top military interrogators [said](#) that torture by Americans of innocent Iraqis is the main reason that foreign fighters started fighting against Americans in Iraq in the first place (and see [this](#)).
- Former counter-terrorism czar Richard A. Clarke [says](#) that America's indefinite detention without trial and abuse of prisoners is a leading Al Qaeda recruiting tool
- A former FBI interrogator — who interrogated Al Qaeda suspects — says categorically that [torture actually turns people into terrorists](#)
- A 30-year veteran of CIA's operations directorate who rose to the most senior managerial ranks, [says](#):

Torture creates more terrorists and fosters more acts of terror than it could possibly neutralize.

- A former [US Air Force interrogator](#) said that torture just creates more terrorists
- A former [U.S. interrogator and counterintelligence agent, and Afghanistan veteran](#) said:

Torture puts our troops in danger, torture makes our troops less safe, torture creates terrorists. It's used so widely as a propaganda tool now in Afghanistan. All too often, detainees have pamphlets on them, depicting what happened at Guantanamo.

- The Senate Armed Services Committee [unanimously stated](#):
 

“The administration's policies concerning [torture] and the resulting controversies ... strengthened the hand of our enemies.”
- [Two professors of political science](#) have demonstrated that torture increases, rather than decreases, terrorism
- General Petraeus [said](#) that torture hurts our national security
- The [reporter](#) who broke Iran-Contra and other stories [says that](#) torture actually helped Al Qaeda, by giving false leads to the U.S. which diverted its military, intelligence and economic resources into wild goose chases
- Raw Story [says](#) that torture might have resulted in false terror alerts
- Hundreds of other experts have said the same things



### **U.S. Officials Launched a Systematic Program of Torture Using Specialized Techniques Which Produce *False Confessions* ... to Justify the Iraq War**

Not only did Bush, Cheney and other top government officials [lie about us into the Iraq war by making a false linkage between Iraq and 9/11](#), but they carried out a systematic program of torture in order to *intentionally create **false evidence*** of that allegation.

Indeed, [the entire purpose behind the U.S. torture program](#) was to obtain **false** confessions.

And the torture techniques used were [Communist techniques specifically designed to produce false confessions](#).

Senator Levin, in commenting on a Senate Armed Services Committee report on torture in 2009, [dropped the following bombshell](#):

With last week's release of the Department of Justice Office of Legal Counsel (OLC) opinions, it is now widely known that Bush administration officials distorted Survival Evasion Resistance and Escape "SERE" training - a legitimate program used by the military to train our troops to resist abusive enemy interrogations - by authorizing abusive techniques from SERE for use in detainee interrogations. Those decisions conveyed the message that abusive treatment was appropriate for detainees in U.S. custody. They were also an affront to the values articulated by General Petraeus.

In SERE training, U.S. troops are briefly exposed, in a highly controlled setting, to abusive interrogation techniques used by enemies that refuse to follow the Geneva Conventions. The techniques are based on tactics used by Chinese Communists against American soldiers during the Korean War for the purpose of eliciting false confessions for propaganda purposes. Techniques used in SERE training include stripping trainees of their clothing, placing them in stress

positions, putting hoods over their heads, subjecting them to face and body slaps, depriving them of sleep, throwing them up against a wall, confining them in a small box, treating them like animals, subjecting them to loud music and flashing lights, and exposing them to extreme temperatures. Until recently, the Navy SERE school also used waterboarding. The purpose of the SERE program is to provide U.S. troops who might be captured a taste of the treatment they might face so that they might have a better chance of surviving captivity and resisting abusive and coercive interrogations.

Senator Levin then documents that SERE techniques were deployed as part of an official policy on detainees, and that SERE instructors helped to implement the interrogation programs. He noted:

The senior Army SERE psychologist warned in 2002 against using SERE training techniques during interrogations in an email to personnel at Guantanamo Bay, because:

[T]he use of physical pressures brings with it a large number of potential negative side effects... When individuals are gradually exposed to increasing levels of discomfort, it is more common for them to resist harder... If individuals are put under enough discomfort, i.e. pain, they will eventually do whatever it takes to stop the pain. This will increase the amount of information they tell the interrogator, but it does not mean the information is accurate. In fact, it usually decreases the reliability of the information because the person will say whatever he believes will stop the pain... Bottom line: the likelihood that the use of physical pressures will increase the delivery of accurate information from a detainee is very low. The likelihood that the use of physical pressures will increase the level of resistance in a detainee is very high... (p. 53).

McClatchy [filled in](#) some of the details:

Former senior U.S. intelligence official familiar with the interrogation issue said that Cheney and former Defense Secretary Donald H. Rumsfeld demanded that the interrogators find evidence of al Qaida-Iraq collaboration...

For most of 2002 and into 2003, Cheney and Rumsfeld, especially, were also demanding proof of the links between al Qaida and Iraq that (former Iraqi exile leader Ahmed) Chalabi and others had told them were there."

It was during this period that CIA interrogators waterboarded two alleged top al Qaida detainees repeatedly — Abu Zubaydah at least 83 times in August 2002 and Khalid Sheik Muhammed 183 times in March 2003 — according to a newly released Justice Department document...

When people kept coming up empty, they were told by Cheney's and Rumsfeld's people to push harder," he continued."Cheney's and Rumsfeld's people were told repeatedly, by CIA . . . and by others, that there wasn't any reliable intelligence that pointed to operational ties between bin Laden and Saddam . . .

A former U.S. Army psychiatrist, Maj. Charles Burney, told Army investigators in 2006 that interrogators at the Guantanamo Bay, Cuba, detention facility

were under “pressure” to produce evidence of ties between al Qaida and Iraq.

“While we were there a large part of the time we were focused on trying to establish a link between al Qaida and Iraq and we were not successful in establishing a link between al Qaida and Iraq,” Burney told staff of the Army Inspector General. “The more frustrated people got in not being able to establish that link . . . there was more and more pressure to resort to measures that might produce more immediate results.”

“I think it’s obvious that the administration was scrambling then to try to find a connection, a link (between al Qaida and Iraq),” [Senator] Levin said in a conference call with reporters. “They made out links where they didn’t exist.”

Levin recalled Cheney’s assertions that a senior Iraqi intelligence officer had met Mohammad Atta, the leader of the 9/11 hijackers, in the Czech Republic capital of Prague just months before the attacks on the World Trade Center and the Pentagon.

The FBI and CIA found that no such meeting occurred.

In other words, top Bush administration officials not only knowingly lied about a non-existent connection between Al Qaida and Iraq, but they pushed and insisted that interrogators use special torture methods aimed at extracting *false confessions* to attempt to create such a false linkage.

The Washington Post [reported](#) the same year:

Despite what you’ve seen on TV, torture is really only good at one thing: eliciting **false confessions**. Indeed, Bush-era torture techniques, we now know, were cold-bloodedly modeled after methods used by **Chinese Communists** to extract confessions from captured U.S. servicemen that they could then use for propaganda during the Korean War.

So as shocking as the latest revelation in a new Senate Armed Services Committee report may be, it actually makes sense — in a nauseating way. The White House started pushing the use of torture not when faced with a “ticking time bomb” scenario from terrorists, but when **officials in 2002 were desperately casting about for ways to tie Iraq to the 9/11 attacks** — in order to strengthen their public case for invading a country that had nothing to do with 9/11 at all.

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Gordon Trowbridge writes for the Detroit News: “Senior Bush administration officials pushed for the use of abusive interrogations of terrorism detainees in part to seek evidence to justify the invasion of Iraq, according to newly declassified information discovered in a congressional probe.

Indeed, one of the two senior instructors from the Air Force team which taught U.S. servicemen how to resist torture by foreign governments when used to extract false confessions has blown the whistle on the true purpose behind the U.S. torture program.

As Truthout [reported](#):

Jessen’s notes were provided to Truthout by retired Air Force Capt. Michael

Kearns, a “master” SERE instructor and [decorated](#) veteran who has previously held high-ranking positions within the Air Force Headquarters Staff and Department of Defense (DoD).

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Kearns was one of only two officers within DoD qualified to teach all three SERE-related courses within SSTP on a worldwide basis, according to a copy of a 1989 letter written Aldrich, who [nominated him](#) officer of the year.

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The Jessen notes clearly state the totality of what was being reverse-engineered – not just ‘enhanced interrogation techniques,’ but an entire program of exploitation of prisoners using torture as a central pillar,” he said. “What I think is important to note, as an ex-SERE Resistance to Interrogation instructor, is the focus of Jessen’s instruction. It is **exploitation, not specifically interrogation. And this is not a picayune issue, because if one were to ‘reverse-engineer’ a course on resistance to exploitation then what one would get is a plan to exploit prisoners, not interrogate them.** The CIA/DoD torture program appears to have the same goals as the terrorist organizations or enemy governments for which SV-91 and other SERE courses were created to defend against: the full exploitation of the prisoner in his intelligence, **propaganda**, or other needs held by the detaining power, such as the recruitment of informers and double agents. Those aspects of the US detainee program have not generally been discussed as part of the torture story in the American press.”

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Jessen wrote that cooperation is the “end goal” of the detainer, who wants the detainee “to see that [the detainer] has ‘total’ control of you because you are completely dependent on him, and thus you must comply with his wishes. **Therefore, it is absolutely inevitable that you must cooperate with him in some way (propaganda, special favors, confession, etc.).**”

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Kearns said, based on what he has read in declassified government documents and news reports about the role SERE played in the Bush administration’s torture program, Jessen clearly **“reverse-engineered” his lesson plan and used resistance methods to abuse “war on terror” detainees.**

In a subsequent report, Truthout [notes](#):

[Air Force Col. Steven Kleinman](#), a career military intelligence officer recognized as one of the DOD’s most effective interrogators as well a former SERE instructor and director of intelligence for JPRA’s teaching academy, said he immediately knew the true value of the PREAL manual if employed as part of an interrogation program.

“This is the **guidebook to getting false confessions, a system drawn specifically from the communist interrogation model that was used to generate propaganda rather than intelligence,**” Kleinman said in an interview. “If your goal is to obtain useful and reliable information this is not the source book you should be using.”

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“In SERE courses, we emphatically presented this interrogation paradigm as one that was employed exclusively by nations that were in flagrant violation of the Geneva Conventions and international treaties against torture,” Kleinman said. “We proudly assured the students that we – the United States – would never resort to such despicable methods.”

(Interrogators also forced detainees to take drugs ... which [further impaired their ability](#) to tell the truth.)

And false confessions **were**, in fact, extracted.

For example:

- A humanitarian aid worker said: [torture only stopped when I pretended I was in Al Qaeda](#)
- Under torture, Libyan Ibn al-Sheikh al-Libi [falsely claimed there was a link between Saddam Hussein, al-Qaida and WMD](#)
- President Bush mentioned Abu Zubaydah as a success story, where torture saved lives. Zubaydah was suspected of being a high-ranking al-Qaida leader. Bush administration officials claimed Zubaydah told them that al-Qaida had links with Saddam Hussein. He also claimed there was a plot to attack Washington with a “dirty bomb”. [Both claims are now recognized to be false, even by the CIA, which also admits he was never a member of al-Qaida.](#)
- One of the Main Sources for the 9/11 Commission Report was [Tortured Until He Agreed to Sign a Confession that He Was \*\*NOT EVEN ALLOWED TO READ\*\*](#)
- The so-called 9/11 mastermind said: [“During ... my interrogation I gave a lot of false information in order to satisfy what I believed the interrogators wished to hear”](#) (the self-confessed 9/11 “mastermind” [falsely confessed to crimes he didn’t commit](#))

And the 9/11 Commission Report was largely based on a *third-hand* account of what tortured detainees said, with [two of the three parties in the communication being government employees](#). And the government went to great lengths to [obstruct justice and hide unflattering facts](#) from the Commission.

According to [NBC News](#):

- Much of the 9/11 Commission Report was based upon the testimony of people who were tortured
- At least four of the people whose interrogation figured in the 9/11 Commission Report have claimed that they told interrogators information as a way to stop being “tortured.”
- The 9/11 Commission itself *doubted the accuracy of the torture confessions*, and yet kept their doubts to themselves

Details [here](#).







## **Torture Has Been Recognized As Terrorism for Thousands of Years**

Moreover, torture has been recognize for *thousands of years* [as a form of terrorism](#).

Indeed, America's [recently-leaked criteria](#) for putting people on the terror watchlist says torture is terror (page 47-48):

### **VII. EXAMPLES OF TERRORISM AND/OR TERRORIST ACTIVITIES**

- 3.18 Examples of TERRORISM and/or TERRORIST ACTIVITIES may generally include conduct intended to intimidate, coerce, influence, or affect civilian populations or government policy consisting of:

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- 3.18.34 harboring TERRORISTS (18 U.S.C. 2339);
- 3.18.35 providing material support to TERRORISTS (18 U.S.C. 2339A);
- 3.18.36 providing material support to terrorist organizations (18 U.S.C. 2339B);
- 3.18.37 financing TERRORISM (18 U.S.C. 2339C);
- 3.18.38 receiving military-type training from a FTO (18 U.S.C. 2339D);
- 3.18.39 **torture** (18 U.S.C. 2340A);
- 3.18.40 developing, transferring, possessing, or threatening to use atomic



Image: Anthony

Freda: [www.AnthonyFreda.com](http://www.AnthonyFreda.com)

### **Torture Is a War Crime ... Which Can STILL Be Prosecuted**

Many argue that the statute of limitations on Bush and Cheney's crimes of torture have all run ... so it is too late to prosecute them.

However, the United States War Crimes Act of 1996, a federal statute set forth at [18 U.S.C. § 2441](#), makes it a federal crime for any U.S. national, whether military or civilian, to violate the Geneva Convention by engaging in murder, torture, or inhuman treatment.

The statute applies not only to those who carry out the acts, but also to those who [ORDER IT, know about it, or fail to take steps to stop it](#). The statute applies to [everyone, no matter how high and mighty](#).

18 U.S.C. § 2441 has **no statute of limitations**, which means that a war crimes complaint can be filed at any time.

The penalty may be life imprisonment or — if a *single* prisoner dies due to torture — death. Given that there are numerous, documented cases of prisoners being tortured to death by U.S. soldiers in both Iraq and Afghanistan, that means that the death penalty would be appropriate for anyone found guilty of carrying out, **ordering**, or **sanctioning** such conduct.

Here's a brief round-up showing that prisoners were injured - and killed - due to U.S. torture:

#### Waterboarding IS Torture

- [The United States has always considered waterboarding to be a crime of torture, including when the Japanese did it in WWII](#)

#### Not Just Waterboarding

- [Major General Antonio Taguba: Photos Show Sodomy, Rape and Sexual Assault With Wire and Various Blunt Instruments](#)
- [The One Case of Torture Obama Doesn't Want You to Learn About](#)
- ["The Sexual Humiliation Of Iraqi Prisoners...Was Not An Invention Of Maverick Guards, But Part Of A SYSTEM Of Ill-Treatment And Degradation"](#)

#### Children, Too

- [Congratulations, America ... Children are Being Tortured in Your Name](#)
- [Sick To My Stomach, I Have A Duty To Report On the Torture of Children](#)

#### People Died While Being Tortured

Gen. Barry McCaffrey [said](#):

We tortured people unmercifully. We probably murdered dozens of them during the course of that, both the armed forces and the CIA.

The ACLU [wrote](#) in 2005:

The American Civil Liberties Union today made public an analysis of new and previously released autopsy and death reports of detainees held in U.S. facilities in Iraq and Afghanistan, many of whom died while being interrogated. The documents show that detainees were hooded, gagged, strangled, beaten with blunt objects, subjected to sleep deprivation and to hot and cold environmental conditions.

**"There is no question that U.S. interrogations have resulted in**

**deaths,”** said Anthony D. Romero, Executive Director of the ACLU. “High-ranking officials who knew about the torture and sat on their hands and those who created and endorsed these policies must be held accountable.

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The documents released today include 44 autopsies and death reports as well as a summary of autopsy reports of individuals apprehended in Iraq and Afghanistan. The documents show that detainees died during or after interrogations by Navy Seals, Military Intelligence and “OGA” (Other Governmental Agency) — a term, according to the ACLU, that is commonly used to refer to the CIA.

According to the documents, **21 of the 44 deaths were homicides.** Eight of the homicides appear to have resulted from abusive techniques used on detainees, in some instances, by the CIA, Navy Seals and Military Intelligence personnel. The autopsy reports list deaths by “strangulation,” “asphyxiation” and “blunt force injuries.” An overwhelming majority of the so-called “natural deaths” were attributed to “Arteriosclerotic Cardiovascular Disease.”

While newspapers have recently reported deaths of detainees in CIA custody, today’s documents show that **the problem is pervasive, involving Navy Seals and Military Intelligence too.**

Spiegel [reported](#) in 2009:

At least two men died during imprisonment. One of them, a 22-year-old taxi driver named Dilawar, was suspended by his hands from the ceiling for four days, during which US military personnel repeatedly beat his legs. Dilawar died on Dec. 10, 2002. In the autopsy report, a military doctor wrote that the tissue on his legs had basically been “pulpified.” As it happens, his interrogators had already known — and later testified — that there was no evidence against Dilawar ...

And [see this](#). And it is now clear that the CIA covered up [murders at Guantanamo](#).

The Military Commissions Act of 2006 limited the applicability of the War Crimes Act, but still made the following [unlawful](#): torture, cruel or inhumane treatment, murder, mutilation or maiming, intentionally causing serious bodily harm, rape, sexual assault or abuse.

The Nuremberg Tribunal which convicted and sentenced Nazis leaders to death conceived of wars of aggression – i.e. wars not launched in self-defense – [defined](#) the following as “crimes against peace”, or war crimes:

*(i) Planning, preparation, initiation or waging of a war of aggression or a war in violation of international treaties, agreements or assurances;*

*(ii) Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned under (i)*

The Tribunal considered wars of aggression to be the ultimate war crime, which [encompassed all other crimes](#):

To initiate a war of aggression, therefore, is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.

*Judgment of October 1, 1946, International Military Tribunal Judgment and Sentence, 22 IMTTRIALS, supra note 7, at 498, reprinted in 41 AM. J. INT'LL. 172, 186 (1947).*

Given that Iraq had *no connection* with 9/11 and possessed no weapons of mass destruction, the Iraq war was a crime of aggression and – under the standards by which Nazi leaders were convicted by the Nuremberg Tribunal – the American leaders who lied us into that war are guilty of war crimes.

Benjamin Ferencz, a former chief prosecutor for the Nuremberg Trials, declared:

A prima facie case can be made that the United States is guilty of the supreme crime against humanity — that being an illegal war of aggression against a sovereign nation.

See [this](#), [this](#), and [this](#).

The Chief Prosecutor for the International Criminal Court – Luis Moreno-Ocampo – [told](#) the Sunday Telegraph in 2007:

That he would be willing to launch an inquiry and could envisage a scenario in which the Prime Minister and American President George W Bush could one day face charges at The Hague. Luis Moreno-Ocampo urged Arab countries, particularly Iraq, to sign up to the court to enable allegations against the West to be pursued.

As a Japan Times Op/Ed [noted](#) in 2009:

In January 2003, a group of American law professors warned President George W. Bush that he and senior officials of his government could be prosecuted for war crimes if their military tactics violated international humanitarian law.

Eminent legal scholars such as former [U.S. Attorney General Ramsey Clarke](#) and Dean of the Massachusetts School of Law and a professor of law [Lawrence Velvel](#) have since stated that high-level Bush administration officials did commit war crimes in relation to the Iraq war.

Torture is – of course – a violation of the [Geneva Conventions](#), which make it illegal to inflict mental or physical torture or inhuman treatment. It is clearly-established that [waterboarding is torture](#). The torture was, in fact, systematic, and included widespread sexual humiliation, murder and other [unambiguous forms of torture](#).

Velvel and many other legal experts say that the torture which was carried out after 9/11 is a [war crime](#).

General Antonio Taguba, who led an official investigation into prisoner abuse, [said](#) in 2008:



There is no longer any doubt as to whether the current administration has committed war crimes. **The only question that remains to be answered is whether those who ordered the use of torture will be held to account.**

Colin Powell's former chief of staff stated that [Dick Cheney is guilty of war crimes](#) for [overseeing torture policies](#).

Matthew Alexander – a former top Air Force interrogator who led the team that tracked down Abu Musab al-Zarqawi – notes that government officials [knew they are vulnerable for war crime prosecution](#):

They have, from the beginning, been trying to prevent an investigation into war crimes.

Former prosecutor in the Guantanamo military commissions, and current Lieutenant Colonel in the Army Reserve (Darrel Vandeveld) [wrote](#):

Torture is a crime and the United States engaged in it. Those are two indisputable facts...

The process of self-examination and accountability has been, and remains, **the only way to move forward and regain our moral and legal grounding**...

We have a Department of Justice for a reason, and now it's up to Attorney General Holder, the nation's top law enforcement officer, to do his job and appoint an independent prosecutor to follow the evidence where it may lead...

**It is critical that we hold accountable those who authorized, those who legally sanctioned and those who implemented the torture policies of one of the darkest periods in our nation's history. What is at stake is nothing less than our democracy.**

[Moreover](#):

General Ricardo Sanchez, the **former top coalition commander in Iraq**, called for a Truth Commission so we might fully understand the failure of the military and civilian command to honor the pledge of our constitution.

Sanchez . . .stressed that the outcome must embrace a variety of solutions, **including prosecution**.

Sanchez stated, "When the president made the declaration that the Geneva Conventions no longer apply, we unleashed the hounds of hell and eliminated all the foundations for the training, ethics and structure we had built into our soldiers and our leaders for how to conduct these kinds of operations."

Sanchez stated many problems could be traced to loyalties to individuals and political parties.

Former President Jimmy Carter is also [calling](#) for a truth commission with the possibility of prosecution:



“[I] like to see is a complete examination of what did happen, the identification of any perpetrators of crimes against our own laws or against international law,” said Carter. “And then after all that’s done, **decide whether or not there should be any prosecutions.**”

A Malaysian war crimes commission also found Bush, Cheney, Rumsfeld, and five administration attorneys [guilty of war crimes](#) (although but the commission has no power to enforce its judgment).

Postscript: Torture is also [apparently continuing under Obama](#). See [this](#) and [this](#).

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