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Tortured principles

Boston Globe
Editorial
December 6, 2004

YEARS FROM now, the mistreatment of Afghan war detainees at Guantanamo and Iraqi war detainees at Abu Ghraib will likely rank with the internment of Japanese-American civilians in World War II as a violation of the nation's principles. But the Bush administration continues to stonewall criticism of its actions, whether it comes from US courts or the International Red Cross. Congress must act to steer the nation back toward compliance with the Geneva Conventions and US law.

In a confidential report to the administration based on visits to Guantanamo in June, the International Red Cross found that detainees had been subjected to psychological and physical forms of coercion that were severe enough to be "tantamount to torture." The report, parts of which were leaked to The New York Times last week, also charged US doctors and other medical personnel with providing interrogators with information about prisoners' health and vulnerabilities. Because of this, the report said, prisoners were reluctant to seek medical assistance.

Physicians for Human Rights, which has been calling on the Defense Department to set and enforce ethical guidelines for medical personnel at prison camps for months, said that "any involvement of health professionals in the practices of torture and/or ill treatment, in any way, violates the international principles of medical ethics." The executive director of the group, Leonard Rubinstein, said the United Nations Principles of Medical Ethics rule out the activities alleged in the Red Cross report.

A court proceeding last week also demonstrated how the United States is turning its back on its own due process standards in its treatment of detainees. For decades, evidence obtained from defendants after torture has not been admissible in US courts. But on Thursday, a deputy associate attorney general told a federal judge that there was nothing to stop military officials at Guantanamo from using torture-induced statements in deciding whether a detainee should be held indefinitely as an enemy combatant.

In another case last month, a federal judge found that the procedures at Guantanamo for determining enemy combatant status do not comply with the Geneva Conventions and US law, which state that any battlefield detainee is presumed to be a prisoner of war until a "competent tribunal" puts him in the less protected status of enemy combatant.

Far from correcting policies that violate medical and legal standards, President Bush has nominated for attorney general his chief counsel, Alberto Gonzales, who in 2002 wrote a memo calling parts of the Geneva Conventions "quaint" and "obsolete." Congress should thoroughly investigate conditions at the detainee camps and, if necessary, pass laws to keep the administration's human rights violators in check.