

Assessing Damage, Urging Action

President Barack Obama came to office promising change, and to his credit, has already issued orders to close Guantanamo and the CIA's secret prisons and to stop the CIA's use of cruel and inhuman interrogation tactics. On February 4 an English court announced that it could not disclose how US officials had interrogated Binyan Mohammed, a Guantanamo detainee, because Washington would not let it do so, declaring the information secret. And on February 9, a Justice Department lawyer told the US court of Appeals for the Ninth Circuit that a lawsuit challenging the legality of Mohammed's treatment had to be dismissed because it touched on "state secrets". The secret is that CIA officials tortured suspects in the "war on terror"—a secret heard round the world, but one the Obama administration is apparently unwilling to have acknowledged in a court of law.

An independent panel of eminent jurists, the International Commission of Jurists (ICJ) to be precise, a well-known NGO dealing with human rights issue, denounces the US "war on terror" paradigm which they say is legally flawed and seriously violates international human rights and humanitarian law. Also they opine that military detention centre at Guantanamo Bay should be closed in a human rights compliant manner and persons held here should be released or charged and tried in accordance with applicable international law standards". But the Obama administration like its Bush predecessor is not listening.

America's "war on terror" has done "immense damage" in the last seven years to both international human rights and humanitarian law. In what the ICJ described as one of the most extensive studies of counter-terrorism and human rights yet undertaken, the panel undertook 16 hearings covering more than 40 countries in all regions of the world. The outcome is the report "Assessing Damage, Urging Action", released on 16 February. The report illustrates among other things the consequences of notorious counter-terrorism practices such as torture, disappearances, arbitrary and secret detention, unfair trials and persistent impunity for gross human rights violations in many parts of the world.

Governments, even democratically elected governments, not to speak of dictatorial dispensations, across the world, appear to relativise or justify their own wrong-doing by comparisons with US. Many governments have already sought to re-define long-standing internal armed conflicts as part of the worldwide "war on terror". ICJ says Colombia is a case in point. But governments in South Asia are equally notorious in utilising the "war on terror" syndrome to silence political opposition and voice of dissent by the marginalised and oppressed.

Bush's "war on terror" campaign has paved the way for illegal practices such as extraordinary renditions while setting a dangerous precedent. What is urgently needed is a serious campaign against "war on terror" conspiracy and its fall-out.

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