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## Release Senate Report on CIA Torture Program

Lauren Carasik

*Western New England University School of Law*, [Carasik@law.wne.edu](mailto:Carasik@law.wne.edu)

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# Release Senate report on CIA torture program

*US must reckon with its record on torture through transparency and accountability*

November 12, 2014 2:00AM ET

by [Lauren Carasik](#) @LCarasik

As President Barack Obama's administration prepares [for its first appearance](#) before the United Nations Committee Against Torture, slated to begin Nov. 12 in Geneva, the White House faces increased pressure to reckon with the nation's past and continuing transgressions. Last month 12 Nobel Peace Prize laureates wrote an [open letter](#) to Obama, the 2009 laureate, imploring him to illuminate and repudiate the United States' dark history of torture.

They specifically urged him to fully disclose the details of torture and rendition programs under his predecessor George W. Bush, to confirm that black sites have been closed, to end the indefinite detention of prisoners at Guantánamo Bay and to commit to upholding Washington's obligations under the Convention Against Torture (CAT). Other human rights advocates have gone further, arguing that any real reckoning requires not only transparency and an unambiguous commitment to a ban on torture anywhere in the world but also the willingness to [prosecute officials](#) whose abusive policies have flagrantly violated the CAT's principles.

The Obama administration has not fully repudiated Bush's brutal and illegal policies, nor is it willing to fulfill its legal obligation to hold perpetrators of torture to account. As the Nobel laureates observed, continuing failure to live up to our ideals undermines the United States' national security and legitimacy on the global stage by eliciting international condemnation and spawning emulation of our tactics. The review in Geneva offers an opportunity to come clean about Washington's past transgressions and commit to upholding international law.

Shortly after taking office in 2009, Obama issued an [executive order](#) distancing his administration from the Central Intelligence Agency's interrogation policies under Bush and renouncing torture. On Aug. 1 this year, Obama publicly admitted that "[we tortured some folks](#)," though he tempered his remarks by invoking the chaotic and terrifying aftermath of 9/11 to explain how our sensibilities were distorted by fear, lauded the "real patriots" despite the brutality of their actions and scolded those prone to sanctimony.

But Washington's post-9/11 reaction was not merely a visceral and understandable if regrettable reaction to abject dread. Instead, the global war on terrorism was an [unintentional, systematic](#) and reasoned policy designed and approved at the top levels of government. And it is exactly in those circumstances — when panic eclipses reason and tests the principles of good leaders — that international edicts are necessary to guide and govern conduct. Moreover, the torture carried out by the U.S. and its proxies was not temporally limited to the weeks and months after the twin towers fell; "enhanced interrogation" continued for years.

## **Transparency and disclosure**

The Nobel laureates echoed other appeals for the release of the Senate Intelligence Committee's report on torture, including entreaties from [retired U.S. military leaders](#) and an [array](#) of current and former members of Congress and intelligence agency professionals. The investigation has been fraught with controversy, and the committee, led by Sen. Dianne Feinstein, D-Calif., continues to tussle with the CIA over the release of the 480-page executive summary of the report. In a statement in 2012, Feinstein [said the report](#), which took almost five years and cost nearly \$40 million to produce, "uncover[s] startling details about the CIA detention and interrogation program and raises critical questions about intelligence operations and oversight" and that it "exposes brutality that stands in stark contrast to our values as a nation. It chronicles a stain on our history that must never again be allowed to happen."

The investigation reportedly concludes that rather than providing useful intelligence to help thwart future attacks, abusive CIA tactics were counterproductive — a judgment supported by [intelligence and interrogation specialists](#). Critics argue that evaluating the efficacy of torture misses the point, since torture is illegal and immoral, irrespective of results.

**Obama's reluctance to unequivocally commit to the CAT's application anywhere in the world would suggest that prohibiting torture is a policy rather than legal mandate.**

One main area of contention is over the CIA's insistence on redacting mentions of operatives from the report, fearing that repeated reference to individuals — even as pseudonyms — could, in combination with locations and events, reveal their identities and compromise national security. Feinstein says the redactions obscure the report's factual findings. The committee and the CIA have reportedly negotiated the redactions from 15 percent of the report to 5 percent.

Freedom of Information Act lawsuits filed by the [American Civil Liberties Union](#) and investigate reporter [Jason Leopold](#) have thus far failed to secure the release of the report's summary and associated documents. The defeat of committee member Sen. Mark Udall, D-Colo., in the midterm elections, a staunch proponent of transparency and an opponent of torture, clouded hopes that Feinstein will be able to facilitate the prompt disclosure of the least redacted version of report. With the Republicans set to assume control of the Senate next year, Sen. Richard Burr, R-N.C., [is positioned to take over](#) the reins of the Intelligence Committee. Burr has been a supporter of “enhanced interrogation.”

Transparency advocates are [urging Udall to take advantage his lame duck status by leaking the report](#) before he leaves the Senate. Then-Sen. Mike Gravel, D-Ala., who read from the Pentagon Papers at a subcommittee meeting in 1971 to make them public, [h](#)