

“20 Years of US Torture and Counting”: Report Details Post-9/11 Abuse at Gitmo and Beyond

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“Biden should take bold steps to repair the damage from abusive U.S. interrogations and detentions, starting with the closure of the U.S. prison at Guantánamo.”

by [Jennifer Corbett](#), [Common Dreams](#)

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A report released Sunday, nearly 20 years after the first prisoners arrived at Naval Station Guantánamo Bay, details “systematic abuses carried out by the United States Central Intelligence Agency (CIA) and U.S. military” since the 2001 terrorist attacks.

Entitled [Legacy of the “Dark Side”: The Costs of Unlawful U.S. Detentions and Interrogations Post-9/11](#), the new paper was published by Human Rights Watch (HRW) and the Costs of War Project at Brown University’s Watson Institute for International and Public Affairs.

“This report lays out a comprehensive assessment of the many unconscionable costs of U.S. torture and illegal detentions and renditions of Muslims over the past 20 years since 9/11,” said Stephanie Savell, co-director of the Costs of War

Project, in a statement. “This is a moral failure of epic proportions, a stain on the nation’s human rights record, a strategic blunder, and an abhorrent perpetuation of Islamophobia and racism.”

The authors assess the “massive costs of U.S. extraordinary renditions, unlawful detentions, and torture after September 11—including to the victims and suspects, to U.S. taxpayers, and to U.S. moral authority and counterterrorism efforts worldwide, ultimately jeopardizing universal human rights protections for everyone.”

They argue that “significant counterterrorism reforms, including closing the prison at Guantánamo, strengthening measures to protect civilians from death and harm, increasing transparency and accountability for the crimes the U.S. has committed, and addressing religious and racial biases, are critical steps toward mitigating the damage.”

Grim anniversary of Guantanamo Bay detention operations – Jan 11 marks 20 years of US torture & counting.

New [@hrw](#) & [@WatsonInstitute](#) report assesses the costs of US unlawful transfers, secret detention & torture since Sep 11, 2001. <https://t.co/Lpwo8H1MKD> pic.twitter.com/VqJ47sfa70

– Elaine Pearson (@PearsonElaine) [January 9, 2022](#)

The assessment comes ahead of Tuesday, which will mark two decades since “the first 20 men to be imprisoned at Guantánamo were flown to the base aboard a U.S. military plane.” There are now [39 men](#) detained there; 27 of them have not been charged with a crime.

“Many lack adequate medical care and even access to their medical records, making the prison a living legacy of the

rights violations spawned by 9/11,” the report explains. “The military commission system created to prosecute suspects at Guantánamo is fundamentally flawed. As a result, the five prisoners accused of plotting the 9/11 attacks have yet to be brought to trial, depriving them of due process and the survivors and the families of the nearly 3,000 people who died in the attacks of their right to justice.”

As *Common Dreams* [reported](#) late last month, the Pentagon is supposedly building a new \$4 million courtroom, to be assembled at Guantánamo by next year, that will enable prosecutors to hold two simultaneous trials.

At least 780 men and boys have been held at the prison since it opened in 2002, after then-President George W. Bush declared a “war on terrorism,” and at least 119 people were subjected to the CIA’s rendition, detention, and interrogation (RDI) program, the HRW and Costs of War report notes. No U.S. officials have been held accountable for that torture.

The military prison has remained open—costing U.S. taxpayers \$540 million per year—under former Presidents Barack Obama and Donald Trump, and now President Joe Biden, who has [signaled](#) that he intends to close Guantánamo.

1/ What abused 780 foreign Muslim men&boys, still holds 27 w/out charge, & has failed to convict anyone for 9/11 despite years of effort & \$? Guantanamo prison, which US opened 20 years ago Tuesday. @POTUS close #Gitmo now. My @hrw report with @CostsOfWar. <https://t.co/LboekNX1bRpic.twitter.com/7No1EMxDlP>

– Letta Tayler (@lettatayler) [January 9, 2022](#)

“Around the world, Guantánamo remains one of the most enduring symbols of the injustice, abuse, and disregard for the rule of law that the U.S. unleashed in response to the 9/11 attacks,”

report co-author Letta Tayler, an associate director in HRW's Crisis and Conflict Division, said in a statement.

Tayler and co-author Elisa Epstein, a University of Chicago Law School student who was previously an advocacy officer at HRW, pressure Biden to finally [shut down the prison](#), and more.

"Biden should take bold steps to repair the damage from abusive U.S. interrogations and detentions, starting with the closure of the U.S. prison at Guantánamo," Tayler and Epstein write. They also urge him to release the 2014 "[torture report](#)" from the U.S. Senate Intelligence Committee, noting all but a heavily redacted summary remains classified.

The authors point out that Biden, like Obama and Trump, "has shown no appetite for releasing the torture report, much less criminally investigating the architects" of the RDI program, and that the president "also opposes allowing the International Criminal Court to include abuses by U.S. nationals in its investigation on grave human rights crimes in Afghanistan."

As the paper details:

The Taliban's return to power and the U.S. military withdrawal from Afghanistan in August 2021 will test the U.S. government's legal rationale for indefinite law-of-war detentions at Guantánamo, as well as the Biden administration's commitment to adopting a more rights-respecting approach to counterterrorism. Thus far, Biden administration actions raise sobering questions about its commitment to ending the so-called "War on Terror." Measures of concern... include the Justice Department's willingness to side-step critical legal questions on habeas rights for the men held at Guantánamo and to block certain testimony related to CIA torture, and Biden's apparent intent to continue using lethal force outside recognized war zones with drone strikes and special forces raids euphemistically rebranded as "over

the horizon" operations.

The authors highlight that “abroad, the U.S. has continued abusive practices against terrorism suspects including transferring them to countries that torture, and, in at least some cases, unlawfully detaining them at U.S.-run sites abroad or at sea.”

“Although such U.S. detention-related counterterrorism violations have dramatically decreased, Washington has replaced capture with kill, conducting airstrikes—often with armed drones that have killed thousands of civilians, including outside recognized battlefields,” they note. “Its counterterrorism campaign has spread to 85 countries with scant transparency or oversight.”

Tayler and Epstein recommend that Biden “increase transparency and accountability for other crimes and violations perpetrated in the name of countering terrorism, including unlawful airstrikes and raids that kill and injure civilians both in and out of recognized war zones.”

The president “should officially apologize and provide redress to victims,” they add, asserting that “anything less not only inadequately addresses the suffering and death wrought by the U.S., but also risks perpetuating cycles of violence by fueling the narrative of groups like the Islamic State and al-Qaeda that the West is at war with Islam.”

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