

Interviews Of Terror Suspects Challenged

*Foreign Agents Violated
Human Rights, U.N. Says*

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BERLIN, Feb. 26 — A United Nations special investigator has concluded in a report scheduled for release Friday that foreign intelligence agents sent to question U.S.-held terrorism suspects at Guantanamo Bay had violated international human-rights laws.

According to an advance copy of the report, obtained by The Washington Post, Martin Scheinin, a Finnish diplomat and the U.N. special investigator for human rights, said foreign agents visiting Guantanamo or secret U.S. jails overseas committed “an internationally wrongful act” even if they merely observed interrogations.

“They were acting in breach of their legal obligations in regard to the prohibition on torture and arbitrary detention,” Scheinin, who is also a law professor at the European University Institute in Florence, said in a telephone interview.

The U.S. military has allowed intelligence and law enforcement agents from at least 18 countries to interrogate Guantanamo inmates since the detention center opened in 2002, according to the [Center for Constitutional Rights](#), a New York-based group that provides legal representation to many Guantanamo prisoners.

According to the group, interrogators from Tunisia, Libya, China, Tajikistan, Uzbekistan and Jordan verbally threatened citizens of their countries held at Guantanamo, warning them that they would be abused at home if they didn’t cooperate. Other countries that have sent interrogators to Guantanamo include Germany, France, Britain, Italy, Spain and Morocco, the center says.

A Pentagon spokesman declined to com-

ment on the U.N. report or Scheinin’s comments. U.S. military officials have said that prisoners at Guantanamo are treated humanely and in accordance with international law.

Scheinin praised President Obama’s pledge to close Guantanamo by the end of the year. But he said the Obama administration and Congress should not ignore alleged abuses committed in the pursuit of terrorism suspects after the Sept. 11, 2001, attacks, urging them to press charges against anyone suspected of breaking U.S. laws against torture or other crimes.

“We have had a witch hunt for alleged terrorists for the past 7½ years,” he said. “Now I think the witch hunt is over and it is time for the law to step in.”

The report does not contain fresh details about operations at Guantanamo or the presence of foreign intelligence agents there. But Scheinin said countries that sent agents to Guantanamo should hold them — or their superiors — legally accountable. He said investigations should be conducted at the national level instead of creating an international tribunal.

He also said he was confident that national governments or prosecutors could dig up details on visits by foreign intelligence agents, noting that Pentagon officials have kept logs of their presence and sometimes taped interrogations.

“These documents exist,” he said. “There is a paper trail.”

In his report, Scheinin said intelligence agents were also complicit in human-rights violations if they participated in interrogations in other countries where the suspects were abused. For example, he cited evidence that U.S., British and Australian agents questioned prisoners in Pakistan who were being held “incommunicado” and tortured by the Pakistani intelligence services. Some of the prisoners were later transferred to Guantanamo.

“We still have to ask: How much did they engage in interrogations that relied on torture or other unacceptable methods?” he said in the interview. “I think we have seen the tip of the iceberg and much more is to come.”

The U.N. report recommended that countries strengthen oversight of intelligence agencies by giving legislatures and other official watchdogs more power to conduct investigations and compel spies to divulge information. It criticized several countries, including the United States, for invoking a state-secrecy privilege to fight lawsuits filed by former prisoners who allege they were tortured or abused while in custody.



Scheinin said lawmakers and watchdogs in some European countries have been thwarted in their investigations for similar reasons. "They haven't failed to do their job," he added, "but there is a firewall in place, and it has been very difficult to get through that firewall set up to protect intelligence services."