



## Rare Victory for Torture Victims: Lawsuit Can Continue

By Daphne Eviatar 3/20/09 8:45 AM

In a rare victory for torture victims, a federal judge yesterday ruled that detainees who claim they were tortured at the notorious Abu Ghraib prison in Iraq can move ahead with their lawsuit against defense contractor CACI, which the U.S. government hired to assist in interrogations of Iraqi prisoners.

CNN reports that U.S. District Court Judge Gerald Bruce Lee rejected CACI's claims that the company was immune from liability for abuse, war crimes and conspiracy because it was under contract with the federal government.

The four Iraqi detainees in the case, represented by the Center for Constitutional Rights, alleged that interrogators on contract from CACI beat and abused them, and destroyed documents and videotapes of the interrogations to mislead officials about their tactics.

Although 11 U.S. soldiers who worked with CACI at Abu Ghraib were eventually court-martialed for their role in the abuses and implicated company workers in the crimes, none of the contractor's workers have faced criminal charges.

CACI had claimed, as defense contractors often do, that it was not responsible for its workers' actions because they were acting under orders of the U.S. military and that the courts lack authority to judge military actions, which are inherently political questions.

The judge disagreed.

"While it is true that the events at Abu Ghraib pose an embarrassment to this country, it is the misconduct alleged and not the litigation surrounding that misconduct that creates the embarrassment," wrote Judge Lee. "This court finds that the only potential for embarrassment would be if the court declined to hear these claims on political questions grounds. Consequently, the court holds that plaintiffs' claims pose no political

question and are therefore justiciable.”

The four Abu Ghraib detainees were released between 2004 and 2008 and were never charged with any crimes.