By Jeff Kaye

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In July, General David Petraeus was approved as CIA Director by both the Senate Intelligence Committee and then the full Senate, whose vote was an astounding 94-0 , astounding because this is a man who was deeply implicated in war crimes, including torture.

While Petraeus's record on backing both torture and death/terror squads in Iraq had been looked at before , literally no one brought up this record when the Obama administration's nomination of Petraeus was being sped through the constitutional "advice and consent" process. The failure of **any** U.S. Senator to ask questions about Petraeus's record on these matters demonstrates the utter bankruptcy of the two political parties, and even more, of U.S. civil society as a whole. Under the leadership of Barack Obama, torture has not only not been ended, its institutionalization has been solidified from the Bush years.

The dubious Yoo/Bybee/Bradbury OLC memos have been rescinded by President Obama's executive order, but the underlying structure of the torture program, which continually metamorphizes so that its existence will not be endangered, remains. Now a primary figure involved in the torture program is head of the CIA. These are dangerous times.

What makes them even more dangerous is the extreme complacency and passivity of the U.S. press, blogger community, and human rights organizations, who never raised a peep over the nomination of Petraeus to head the CIA, and who have for the most part let violations of the UN Convention Against Torture treaty, which makes the handing of prisoners over to state authorities who are likely to torture them a crime, become a unremarkable minor detail in their political reporting and campaigning.

**Training the Torturers and the Implementation of FRAGO 242**

Petraeus was promoted to lieutenant general in June 2004, and was appointed the first commander of the Multi-National Security Transition Command Iraq (MNSTC). The MNSTC was organized to train Iraqi Security Forces, with the supposed aim of making them responsible for Iraqi state security. The context was the dismantling of the Iraqi Army under the Coalition Provisional Authority (CPA) of L. Paul Bremer. While the CPA was busy privatizing the Iraqi economy, the cobbled-together Iraqi forces were unable to fight the remnants of the Saddam Hussein regime, and the country was rent by sectarian conflict.

It was also in June 2004 that Fragmentary Order 242 was issued, instructing U.S. forces, as the UK Guardian reported , "not to investigate any breach of the laws of armed conflict, such as the abuse of detainees, unless it directly involves members of the coalition. Where the alleged abuse is committed by Iraqi on Iraqi, 'only an initial report will be made … No further investigation will be required unless directed by HQ'."

Lt. Gen. Ricardo S. Sanchez, the Commander of US ground troops in Iraq, was the likely high official who signed off on this policy, but as the Guardian noted, "Frago 242 appears to have been issued as part of the wider political effort to pass the management of security from the coalition to Iraqi hands." The policy amounted to turning Iraqi prisoners over to security forces trained by Petraeus's MNSTC. The Iraqis tortured the prisoners, while U.S. forces were complicit, and if anyone wanted to intervene, the order tied their hands.

Frago 242 was modified in April 2005: "MNCI FRAGO 039 DTD 29 April 2005 has modified FRAGO 242 and now requires reports of Iraqi on Iraqi abuse be reported through operational channels."

Frago 039 was released in 2005. As Angus Stickler and Chris Woods at the Bureau of Investigative Journalism noted , "It is unclear from the files what happened to the reports of detainee abuse once they had been sent up the chain of command. There are indications that some may have been investigated, but it is not known whether this was by the US or if the files were handed over to the appropriate Iraqi authorities."

A likely example of Frago 242 in operation occurred during a June 29, 2004 encounter between Oregon National Guardsmen assigned to the 2nd Battalion, 162nd Infantry, and Iraqi Interior Ministry agents, as reported by Mike Francis in the Oregonian, August 2004 (as reposted by the Seattle Times ). Members of the unit had observed the beating of blindfolded prisoners on the grounds of the Ministry. The story continued.

Soon after, a team of Oregon Army National Guard soldiers swept into the yard and found dozens of Iraqi detainees who said they had been beaten, starved and deprived of water for three days.

In a nearby building, the soldiers counted dozens more prisoners and what appeared to be torture devices: metal rods, rubber hoses, electrical wires and bottles of chemicals. Many of the Iraqis, including one identified as a 14-year-old boy, had fresh welts and bruises across their backs and legs.

The Guardsmen moved in, disarmed the Iraqi jailers and Lt. Col. Daniel Hendrickson of Albany, Oregon, radioed for further instructions. The instructions came. Officers up the chain of command in the Army's First Cavalry Division told Hendrickson "to return the prisoners to their abusers and immediately withdraw." The U.S. Embassy later confirmed the incident, and said that the issue was brought up with Iraqi authorities, but wouldn't disclose details, as "it would be 'inappropriate' to discuss 'details of those diplomatic and confidential conversations.' The embassy statement, we now know, was disingenuous in the extreme.

The embassy, in a written statement, said American soldiers are "compelled by the law of land warfare and core values to stop willful and unnecessary use of physical violence on prisoners." The U.S. soldiers involved in the incident, it said, "acted professionally and calmly to ease tensions and defend prisoners who needed help."

The U.S. Guardsmen who entered the Iraqi compound that day knew they had done the right thing by disarming the torturers, but felt it was wrong to move out. According to Francis, they spoke about the incident because they were "really upset." One soldier said, "They were really moved by what they'd seen." Francis wrote, "they wanted Americans to know about the actions they took to protect unresisting prisoners — and that they were ordered by U.S. military officials

to walk away."

**Reports of Torture After 2004**

Reports of torture by Iraqi security forces continued to leak out. In 2005, Richard Galpin at BBC posted an incendiary story about the burgeoning scandal. According to the British news agency, "Iraq's new police force… [faced] mounting allegations of systematic abuse and torture of people in detention, as well as allegations of extra-judicial killings. The minority Sunni community in particular claims it is being targeted by the Shia-dominated police force."

According to Galpin, a list of different torture techniques published by Human Rights Watch at the time included "beating detainees with cables, hanging them from their wrists for long periods and giving electric shocks to sensitive parts of the body."

From a video given to the BBC by the Association of Muslim Scholars (a Sunni Muslim organisation), it seems another particularly brutal form of torture can also be added – drilling into the knees, elbows and shoulders of victims.

And according to press reports, the Shia-dominated commandos then targeting the Sunni minority were organized by — David Petraeus. In an interview of Arun Gupta by Amy Goodman of Democracy Now!, Petraeus's part in this was described.

What we were talking about two-and-a-half years ago was Petraeus's role in helping to set up the Special Police Commandos. In 2004, 2005, he was given the mission to train all Iraq military and police forces….

Now, one of the key things that Petraeus did was they decided — him and his command decided — that they were going to create this paramilitary force, the Special Police Commandos. They armed them. They funded them. They trained them. And they also issued the usual denials: "Oh, we're not giving them any weapons. This is an Iraqi initiative." And so,

now he's saying the same thing with the Sunni militias.

So, anyway, the Special Police Commandos quickly morphed into Shiite death squads that were used against the Sunni insurgency and against Sunnis, in general, throughout Iraq.

One of the most notorious police commando units was the Wolf Brigade , which trained with U.S. forces, and was notorious for torture and extrajudicial murders in Sunni neighborhoods.

One of the most extraordinary reports on U.S. backing of the Iraqi terror police was by Peter Maass in the New York Times Magazine in May 2005. Maass was present at a meeting between himself and General Adnan Thabit, head of the Special Police Commandos. Also present was James Steele, "one of the United States military's top experts on counterinsurgency," Maass wrote. "Steele honed his tactics leading a Special Forces mission in El Salvador during that country's brutal civil war in the 1980′s." A retired U.S. colonel, Steele was a member of General Petraeus's team working to train the police security units.

The interview with Thabit had barely started, when something bizarre and chilling occurred:

A few minutes after the interview started, a man began screaming in the main hall, drowning out the Saudi's voice. "Allah!" he shouted. "Allah! Allah!" It was not an ecstatic cry; it was chilling, like the screams of a madman, or of someone being driven mad. "Allah!" he yelled again and again. The shouts were too loud to ignore. Steele left the room to find out what was happening. When returned, the shouts had ceased. But soon, through the window behind me, I could hear the sounds of someone vomiting, coming from an area where other detainees were being held, at the side of the building.

Steele was not the only American involved in training the Iraqi terror police. Steve Casteel was "the senior U.S. adviser in the Ministry of Interior," working directly with Iraqi interior minister, Falah al-Nakib. According to Maass, Casteel was "a former top official in the Drug Enforcement Administration who spent much of his professional life immersed in the drug wars of Latin America. Casteel worked alongside local forces in Peru, Bolivia and Colombia, where he was involved in the hunt for Pablo Escobar, the head of the Medellin cocaine cartel."

Steele, Casteel and Petraeus have all told the press at various times that they opposed human rights abuses among Iraqi forces. Petraeus himself told New York Times reporters in May 2006 that he and his team "vigorously pursued allegations of misconduct," and that "he never received evidence of the police carrying out clearly sectarian violence, but that at his insistence three commando leaders were fired or moved to lesser positions for detainee abuse or corruption."

In a September 25, 2004 op-ed for the Washington Post, Petraeus wrote, "Helping organize, train and equip nearly a quarter-million of Iraq's security forces is a daunting task." He cited all the "progress" that had been made under his command. He noted he met "with Iraqi security force leaders every day." In a very slight nod to reports of atrocities, Petraeus wrote, "Though some have given in to acts of intimidation, many are displaying courage and resilience in the face of repeated threats and attacks on them, their families and their comrades. I have seen their determination and their desire to assume the full burden of security tasks for Iraq."

The progress and the U.S. remonstrances against torture have reportedly resulted in the suspension of a handful of Iraqi officers, but the reports about continuing torture by security forces continued, and many were revealed in the Wikileaks Iraq War Logs release earlier this year. Here is one of the reports, from August 2006. As the reader will note, while U.S. forces make a report, no investigation is initiated, and the prisoner and his torturer are said to remain at the Ramadi jail. The case is closed five days later.

*ALLEGED DETAINEE ABUSE BY IRAQI POLICE IN RAMADI ON 17 AUG 2006

SUSPECTED DETAINEE ABUSE RPTD AT 171100D AUG 06

1. DESCRIPTION OF INCIDENT/SUSPECTED VIOLATION (WHO REPORTED INCIDENT AND WHAT HAPPENED):

SGT ———, 300TH MILITARY POLICE COMPANY, REPORTED IRAQI POLICE COMMITTING DETAINEE ABUSE AT AN IRAQI POLICE STATION IN RAMADI. SGT ——— WITNESSED 1LT ——— WHIP A DETAINEE ACROSS HIS BACK WITH A PR-24 STRAIGHT SIDE HANDLED BATON AND 1LT ——— KICKING A SECOND DETAINEE. THAT NIGHT SGT

——— HEARD WHIPPING NOISES WALKING THROUGH THE HALLWAY, AND OPENED A DOOR TO FIND 1LT ——— WITH A 4 GAUGE ELECTRICAL CABLE, WHIPPING THE BOTTOM OF A DETAINEE*S FEET. LATER THAT NIGHT, SGT ——— CAUGHT 1LT ——— WHIPPING A DETAINEE ACROSS HIS BACK WITH AN ELECTRICAL CABLE. SGT ——— DOCUMENTED EACH EVENT ON A SWORN STATEMENT FORM AND REPORTED THE INCIDENTS.

2. LOCATION (GRID COORDINATES OR OTHER REFERENCE): 38S LB 37142 99770

3. TIME OF OCCURRENCE AND TIME OF DISCOVERY: REPORTED 17 1100 AUG 06

4. WHO CAUSED (IF KNOWN) OR IDENTITY OF FRIENDLY AND ENEMY UNITS OPERATING IN THE IMMEDIATE AREA (IF KNOWN):

IRAQI POLICE FROM THE AL HURYIA IRAQI POLICE STATION

5. NAME OF WITNESSES (W/UNIT OR ADDRESS): SGT ——— ——— ———, 300TH MP COMPANY, MP PIT TEAM

6. UNIT POINT OF CONTACT: CPT ——— – ——— AT DNVT 551-2044 OR ———.———@———.ARMY.SMIL.MIL

7. EVIDENCE GATHERED AND ITS DISPOSITION: SWORN STATEMENTS AND PICTURES ARE ATTACHED

8. WEAPONS/EQUIPMENT INVOLVED: 4 GAUGE ELECTICAL CABLE, PR-24 BATON

9. DESCRIPTION OF DAMAGE OR INJURIES TO GOVERNMENT/CIVILIAN PROPERTY

AND PERSONNEL: CIRCULAR WHIP MARKS, BLEEDING ON BACK, DARK RED BRUISING ON BACK

10. CURRENT LOCATION OF SUSPECTS AND VICTIMS (JAIL, HOSPITAL, AT SCENE, ETC.) BOTH ARE STILL AT AL HURYIA POLICE STATION

11. HOW IS THE SITE BEING SECURED? N/A

12. INVESTIGATING OFFICER. STATUS OF INVESTIGATION: NO INVESTIGATION INITIATED AT THIS POINT.

CLOSED: 22 AUG 2006

In February 2009, three years after the recognition of torture at Al Huryia police station, a U.S. military dispatch shows the Al Huryia police are still torturing prisoners, with U.S. knowledge, and no investigation. The military record merely concludes “Closed.”

The case against Petraeus may be circumstantial, as we do not have a specific document that links him to torture, or even the Frago orders. But the General’s culpability in these matters is highly likely, and the principle of command responsibility ties him into the policies that occurred under his command. You would have thought that there would have been a Congressional investigation of these matters, or that Petraeus would have been grilled about them at his hearing. Indeed, Petraeus explained at his recent Senate hearing that he would not rule out torture in “ticking time bomb” scenarios.

The United States has become so politically paralyzed that it cannot mount an effective political opposition to the economic fleecing being implemented currently by the executive and legislative branches of what can only be understood to be a torture state. Without a new political opposition, based on a genuine progressive popular movement, and ultimately a new political party that strives for power with a program of ending the dominance of the military and economic elites, then there is no light at the end of the tunnel, only our fear spinning solitary in

the dark.