

Human rights lawyers: Prosecute Bush, former officials for torture

Claire Schaeffer-Duffy | Nov. 15, 2010 NCR Today

George W. Bush's newly published memoir, *Decision Points*, provides fodder for an ongoing criminal investigation of Bush administration officials, writes Bill Quigley [in a recent column for The Huffington Post](#) [1]

In his memoir the former president admits to authorizing the waterboarding of detainees, which is considered torture under international and U.S. law, notes Quigley, the legal director for the Center for Constitutional Rights (CCR).

'Bush's crime confession coincides with reports that no one will face criminal charges from the US Department of Justice for the destruction of 92 CIA videotapes which contained interrogations using waterboarding,' writes Quigley. 'Where is the accountability for these crimes?'

Frustrated with the Obama administration's unwillingness to prosecute the former president and others, CCR, along with the European Center for Constitutional and Human Rights (ECCHR), has joined a Spanish criminal investigation examining the role of former Bush administration officials in the commission of international law violations, including torture.

CCR has filed two investigations with the National Court of Spain related to the U.S. torture program, a disturbing indicator that American courts are providing little or no redress for detainees who endured torture or abuse.

Quigley's column includes a joint statement by CCR and ECCHR announcing their decision to work with the Spanish inquiry. Its language is refreshingly unequivocal. Here's an excerpt:

Debates as to whether or not waterboarding of detainees led to intelligence or make the nation 'safer' are not relevant questions. The only valid question is: can we torture? The answer is no.

"Without accountability it is impossible to ensure that such actions are never authorized by any future president or other U.S. official. No immunity protects Bush from prosecution for acts which violate federal and international law. The Pinochet precedent demonstrates that the law eventually catches up with former presidents--even those who flout their impunity.

"Bush states that accountability 'would set a terrible precedent for our democracy.'

"We answer that not doing so is failing our democracy--yet again. We therefore urge the Obama administration and the Department of Justice to act upon their recognition that waterboarding is torture as a matter of law, to investigate and prosecute acts of torture and other serious violations carried out by officials of the former administration, including George W. Bush.

"But we will not wait any longer for the Obama administration to act--we will continue seeking justice

and accountability under the principle of universal jurisdiction and as counsel in the ongoing investigation in Spain.

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[1] <http://ccrjustice.org/bush-pens-true-crime-book-and-better-worry-bill-quigley>