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# What a 'toothless' tribunal can do

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**UNEQUAL JUSTICE:**  
Failure to uphold international laws has allowed nations like the US to get away with crimes against humanity, writes Mahathir Mohamad

**T**HE Kuala Lumpur Tribunal on War Crimes sat for five days in the courtroom at the Al-Bukhary Foundation to listen to charges against George W. Bush, Richard B. Cheney, Donald H. Rumsfeld, Alberto Gonzalez, David Addington, William Haynes II, Jay Byber and John Choon Yoo of the United States for the torture of detainees held in the Abu Ghraib and Guantanamo detention camps.

Many would ask of what use is this hearing by a toothless tribunal.

The answer is that the international community has failed in the proper implementation of international laws to which all countries have officially subscribed. Worse still, the laws are applied only against weak countries and their leaders who are judged and punished.

Thus, the International Criminal Court tried the president of Sudan in absentia and issued orders for his arrest. Today, he cannot visit many countries for fear of arrest.

During the sitting of the Kuala Lumpur Tribunal, three prisoners and detainees told of the tortures they suffered in Abu Ghraib and Guantanamo.

An Iraqi woman, Jameela Abbas Al-hifli, told how she was dragged by the hair from her brother's house by a detachment of Americans and Iraqis and taken to a jail. She was beaten with a kind of plastic-covered truncheon, she was banged against the wall; the hands were tied behind the back and then she was pulled up by a rope tied to the manacled hands.

She was stripped naked, hooded and taken to see her daughter. She was told that unless she confessed that she knew the "resistance people", they would kill her daughter. The hood was slipped on and then she heard shots being fired. However, when the hood was taken off, she saw that her daughter was alive.

In winter, water was thrown on the floor of her six-by-six cell, and she was stripped naked and made to crawl on the floor. Ice water was poured over the back. After six months of continuous torture, she was released. Her

gaolers had decided that she really had no knowledge of the resistance.

Another prisoner, Moazzam Begg, a British citizen, was water-boarded in addition to other forms of torture. Water-boarding involves covering the face and head with towels while the victim lies down and water is poured on the towel.

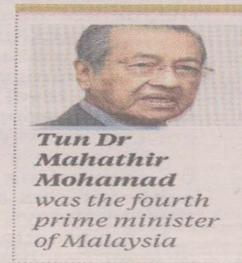
The prisoner feels that he is drowning as he breathes in water when he feels suffocated. It is a harrowing experience. The victim can die following this treatment.

A common way of torture was to undress the prisoner, put a hood over the head, make him stand on a stool and attach electrodes to various parts of the body, including the genitals. Any movement triggers electric shocks to the body. Nails were pulled out with pliers.

Jameela was flown in a helicopter with doors wide open so attackers will know that the prisoner will be killed if the helicopter is shot down. The use of human shields is forbidden by international law.

Some prisoners were flown from Iraq to Guantanamo, manacled, hooded and shackled, seated on the bare floor. They suffered horribly as the flight took hours. At other times, the prisoners were made to stand for hours with their hands stretched out.

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Tun Dr Mahathir Mohamad was the fourth prime minister of Malaysia