

# ICRC defensive on 'confidentiality' policy

Human rights Dawn

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16.5.04

ISLAMABAD, May 15: Amid emphatic international calls for abandoning its policy of confidentiality in dealing with detainees, particularly after the Abu Ghraib prison scandal, the International Committee of the Red Cross (ICRC) has gone on the defensive, asserting that such a policy serves best the interest of victims.

Under attack for "keeping quiet" instead of going public with its findings of Iraqi prisoners' abuse by the American occupying forces, the ICRC delegation in Islamabad decided to educate media about the Committee's abiding principles. Referring to "a lot of fuss about how the ICRC operates" the deputy head of the ICRC delegation, Chris Mehl, invited a group of media representatives for a discussion on the question of confidentiality. His colleague Frederic Gouin, the 'Cooperation and Communication' delegate joined him.

What followed was a vigorous debate, which at times generated terse and heated exchanges. As expected the torture of Iraqi detainees at Abu Ghraib prison by the occupying forces dominated the discourse.

The controversy triggered by media reports regarding the prison abuse is based on a summary of a report prepared by the ICRC after 29 visits to 14 places of detention in Iraq from March 31, 2003 to November 24, 2003. The recent publication and broadcast of graphic photographs of the deplorable acts of torture and humiliation to which Iraqi detainees were subjected outraged the world. It inevitably raised questions about the role of ICRC, particularly its 'silence.'

At one point when a delegate ascribed media's sudden interest in the issue to

"juicy details" following release of the pictures, he was reminded that it was the gravity of the issue that had caught the media attention.

Grilled on the rule of 'confidentiality', the ICRC delegates argued that sidestepping this principle would be detrimental to detainees' interest. It would deny the ICRC access to prisoners, which was imperative for re-establishing contact between detainees and their families.

"Going public with the findings would block such relief and detainees would not even hear from their moms and dads," was the constant refrain from one ICRC delegate who aggressively defended the policy. "So you are merely acting as a post office and not as a relief agency?" asked one journalist. "We are acting on behalf of the victims," the ICRC delegate insisted. Advancing the argument that going public may do more harm than good, the deputy head of the delegation observed: "We want to work with the detaining authorities, not against them." A bigger concern is that the abuse is not repeated, he underlined.

The Committee would only go public with its findings on PoWs abuse if it discovered that no relief was being provided to the victims despite its recommendations to the detaining authority, the ICRC delegates maintained. In the case of Iraqi detainees, they held the Committee's assessment was that the issues raised by it were being addressed. "We had the feeling that there were positive steps by the detaining authority and that is why we did not go public," the ICRC deputy head of the delegation stated. When it was pointed out that the pictures of Iraqi detainees defied such a claim, the ICRC delegates had little to say.

They conceded it was not easy always

for them to find out about the abuse, just as it is always difficult for the victim of child abuse to talk about it.

The question of whether there was a guarantee that going public with the findings would make things change for the better, was put to the media representatives. It could save lives and prevent debase physical and mental torture of detainees, the delegates were told.

One delegate claimed there had been "much worse cases" of torture by the Canadian soldiers participating in the peacekeeping mission in Somalia in the early nineties than those committed by the US forces in Iraq.

Responding to a query the delegates said the most challenging part of their job in Iraq was "getting access to the prisoners" seen as the "bad guys" by the detaining authority. The volatile security situation in the country where the ICRC office was also attacked, was cited as another difficulty. However, later on one delegate claimed the committee members did not face any difficulties in accessing detainees in Iraq.

ICRC interventions in conflict zones have had a certain positive impact, the delegates asserted, citing the case of Guantanamo Bay detainees among others. Their point was that pursuing the policy of 'confidentiality' had made their role more effective.

Pointing to the Committee's transparent procedures and defending its credentials of upholding confidentiality the delegates stated the Committee had never gone public with any report on detainees. The leak of the ICRC summary report on Iraqi prisoners, they suspected, came from someone within the US administration. It was made clear the ICRC took no pictures. ICRC submitted only three

copies of the report summary, one each to the Provisional (Coalition) in Iraq, Pentagon and the State Department, it was pointed out.

Although reportedly the ICRC submitted its report to the coalition forces of provisional in February, the deputy head of the delegation refused to go on record on that. "I can't tell you, I don't remember exactly when," was his evasive response to repeated queries.

When a number of questions were ducked by the ICRC delegates on the pretext of "confidentiality", journalists asked why then had they been invited.

"Media knows very little about us and the question of confidentiality, so we thought we would explain our principles," was the response from the deputy head of the delegation.

Meanwhile, the ICRC's dilemma of going public or not with its findings on abuse of detainees continues. There are no clear answers, only more questions as the debate carries on.

The ICRC, a Geneva based organization, was founded in 1963 to aid victims of war and internal conflicts. The international humanitarian law mandates the ICRC as the World's agency to visit prisoners of war, civilian internees (detainees) in times of international and internal armed conflicts. In this context the aim pursued by the ICRC is to prevent, and if necessary, stop disappearances and extra-judicial killings of prisoners; to inhibit, and if necessary, end acts of torture and mistreatment; to improve imprisonment conditions; and to re-establish the contacts between detainees and their families.

In 2003 the ICRC visited 469,648 detainees held at 1,923 facilities in around 80 countries.