

POWs: All is not fair: We need to get our house in order

by [Douglas Cassel](#) in the [April 19, 2003](#) issue

"Disgusting" and "absolutely unacceptable" were the terms used by General John Abizaid to describe Iraqi and al-Jazeera television broadcasts showing dazed and wounded American prisoners of war and corpses of American soldiers.

The general is right. Article 13 of the 1949 Geneva convention on prisoners of war, a legally binding treaty to which nearly all nations—including the U.S. and Iraq—are parties, requires that POWs be "humanely treated." It specifies that they "must at all times be protected, particularly . . . against insults and public curiosity."

As recognized by the respected guardian of the Geneva conventions, the International Committee of the Red Cross, this means that POWs are not to be displayed before television cameras and especially not, as in this instance, interrogated before TV cameras and microphones.

What about the photos and video we have all seen on American news media of Iraqi soldiers surrendering? Do they violate the Geneva conventions?

Not the coverage I have seen. Iraqi soldiers have been shown in the act of surrendering. They have not been shown already in full custody, and they have certainly not been shown being interrogated, nor has the world been invited to listen in on any answers they might give under stress.

There is a line between news coverage of surrenders and propaganda displays of POWs. The Iraqis have crossed the line and violated the Geneva convention; so far, to my knowledge, the Americans have not.

But the U.S. protests of the Iraqi TV broadcasts are tarnished by violations the U.S. has committed against prisoners in Guantánamo and, reportedly, in Afghanistan. In Guantánamo we flagrantly violate Article 5 of the Geneva convention, which calls for a speedy tribunal to determine whether the imprisoned have indeed "committed a belligerent act." We have imprisoned hundreds of alleged Taliban and al-Qaeda

fighters who claim they were simply in the wrong place at the wrong time and who ask for hearings before a “competent tribunal.” Privately, some American officials admit that as many as 30 percent or more of the prisoners should not be held.

In Afghanistan, the *Washington Post* reports, the U.S. military beats up prisoners and subjects them to “stress and duress” techniques, keeping them in contorted, painful positions for prolonged periods while depriving them of sleep. How would Americans react if the Iraqis did this to our soldiers?

If we expect our protests of Iraqi violations to be taken seriously, we had better get our own house in order.