

By Bill Quigley

In his memoir (which some wise people have already moved in bookstores to the CRIME section) George W. Bush admitted that he authorized that detainees be waterboarded, tortured, a crime under US and international law.

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.

Where is the accountability for these crimes?

Bush and other criminals will be brought to justice if the Center for Constitutional Rights (CCR) and the European Center for Constitutional and Human Rights (ECCHR) have their way.

CCR and ECCHR jointly intervened into a criminal investigation in Spain examining the role of former civilian and military officials from the Bush administration in the commission of international law violations, including torture. The investigation is ongoing and includes the crimes that Bush admitted he authorized.

CCR and ECCHR made it clear that they are committed to pursuing criminal accountability and Bush's confessions help. In a joint statement they said:

"As Attorney General Eric Holder stated during his confirmation hearings, waterboarding is torture. Calling these acts what they are, torture, is not the result of differing legal `opinion,' as Bush states; it is a matter of law. Harold Koh, the State Department Legal Adviser, confirmed this in Geneva last week, stating during the U.S. Universal Periodic Review that "the Obama administration defines waterboarding as torture as a matter of law" and it is not a `policy choice.'

"There are no circumstances or excuses-including

`national security'-under domestic and international law that allow for the use of torture. And there is an obligation to investigate and prosecute torture.

"Bush's decision to authorize torture and other illegal acts against detainees held in U.S. custody led to the use of torture at Guantánamo, in Iraq, Afghanistan, and in secret prisons by U.S. forces, and contractors, certain allies and the national forces in Iraq and Afghanistan. His decision led to Abu Ghraib.

"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."

Sell those books, George W, you may need the money for legal fees yet!

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