

Poland Probes CIA 'Black Site' Prison

Even as the Obama administration continues to ignore the worst crimes of George W. Bush's presidency including torture and aggressive war authorities in Poland are investigating its alleged hosting of a CIA "black site" prison. An inquiry that may be the best hope for some measure of truth, writes Nat Parry.

By Nat Parry

A probe by Polish prosecutors into the CIA's use of a secret prison in Poland offers a grim reminder of one of the Global War on Terror's darkest chapters America's use of Eastern European allies to assist in illegal extraordinary renditions and torture of suspected terrorists.

But the fact that the probe is being carried out by Polish authorities, with no comparable investigation by the U.S. government, offers perhaps an even starker reminder that democratic accountability is in some ways stronger in the former Soviet Bloc than it is in the United States of America.

Despite some feeble attempts from Congress to ensure greater oversight of the CIA's program of clandestine prisons, there have been no investigations of possible violations of anti-torture laws.

An amendment to require reports on clandestine detention facilities was attached to the 2006 supplemental military spending bill, but as this amendment only required that classified reports be submitted to relevant congressional committees, it did little to raise general public awareness of the issue.

A 2009 Senate review of the program promised to "assess lessons learned" but assured the CIA that employees who participated in the program would not be held to account. Then-CIA Director Leon Panetta vowed to block "an inquiry designed to punish those who acted in accord with guidance from the Department of Justice."

First revealed in November 2005 by the Washington Post, the clandestine network of CIA prisons was acknowledged by President George W. Bush in September 2006. At the time, Bush claimed that torture was not part of the program. Investigations by the Council of Europe and the European Parliament, however, revealed that torture had been used extensively in the prisons.

While deploring "the concepts of state secrecy or national security" invoked by the United States to obstruct the investigation into "grave allegations of human rights violations," the Council of Europe nevertheless ascertained that detainees in the prisons "were subjected to inhuman and degrading treatment,

sometimes protracted.”

“Certain ‘enhanced’ interrogation methods used fulfill the definition of torture and inhuman and degrading treatment in Article 3 of the European Convention on Human Rights and the United Nations Convention against Torture,” said the report. A subsequent investigation by the European Parliament further confirmed the use of torture in the secret prisons.

Following its investigation, the EP adopted a strongly worded resolution condemning the U.S. policies and the European governments that participated in the program.

“Extraordinary rendition and secret detention involve numerous violations of human rights in particular violations of the right to liberty and security, the freedom from torture and cruel, inhuman or degrading treatment, the right to an effective remedy, and, in extreme cases, the right to life; whereas, in some cases, where rendition leads to secret detention, it constitutes enforced disappearance,” the resolution stated.

The EP reminded its member states that “the prohibition of torture is a peremptory norm of international law (*jus cogens*) from which no derogation is possible,” and criticized “European countries [that] may have received, knowingly or unknowingly, information obtained under torture.”

First Derided

In Poland, the notion that the former Communist country would tolerate a secret CIA prison in which torture was being used was for years derided by the country’s politicians, journalists and the public as a crackpot conspiracy theory. Polish officials consistently denied the existence of any such prison.

But a string of recent revelations and political statements by Polish leaders appear to acknowledge for the first time that the United States did indeed run a secret interrogation facility for terror suspects in 2002 and 2003 in a remote region of the country.

As the AP reports, the debate within Poland is marked by a streak of disappointment that Washington had led the young democracy astray both ethically and legally, and then abandoned the Polish government to deal with the fallout.

Polish Prime Minister Donald Tusk said on March 29 that Poland has been the “political victim” of leaks from U.S. officials that brought to light aspects of the secret rendition program. He said that an ongoing investigation into the case demonstrates Poland’s democratic credentials and that Poland will not be used in the future for such clandestine enterprises.

“Poland will no longer be a country where politicians, even if they are working arm-in-arm with the world’s greatest superpower, could make some deal somewhere under the table and then it would never see daylight,” said Tusk, who took office four years after the prison was shuttered.

The Polish frustration with the United States follows a long-established feeling of disillusionment that first emerged in 2004 during the U.S.-led occupation of Iraq and the height of the Iraqi insurgency. As David Ost reported in The Nation magazine on Sept. 16, 2004,

“George W. Bush has managed to do what forty-five years of Communist rule could not: puncture the image of essential American goodness that has always been the United States’ key selling point. Polish journalists now ask questions like, ‘How can we explain America’s transformation from a country that introduced international law to one that intervenes militarily wherever it likes?’ Or, more plaintively: ‘Does it really pay to be America’s friend?’ It is an astonishing turnabout: In more than twenty-five years of traveling to Poland I have never heard these kinds of criticisms.”

Poland committed 2,400 troops to the U.S.-led occupation of Iraq, but Polish supporters of the war, such as Marek Beylin, chief of the editorial section of Gazeta Wyborcza, began wondering whether they were duped into cooperating with the United States.

“It seems we were naive,” Beylin said in 2004. “It turns out they had no idea what to do with the Shiites, the Kurds, the resistance, the infrastructure. A superpower should be able to do this! That it can’t do it this changes all our calculations.”

It appears now that Poland is following through on the recalculations it began making eight years ago, and choosing the rule of law over its alliance with the world’s lawless superpower.

“Poland is a democracy where national and international law must be observed,” Tusk said on March 29. “This issue must be explained. Let there be no doubt about it either in Poland or on the other side of the ocean.”

Tusk also pledged that Polish official involvement in activities by the CIA would be thoroughly scrutinized and prosecuted. He indirectly confirmed that his country’s former spy chief, Zbigniew Siemiątkowski, is facing criminal charges in connection with a probe by state prosecutors into the Polish role in CIA’s secret prison.

Poland’s prime minister at the time of the prison’s operation, Leszek Miller, has denied any knowledge of the CIA program in Poland.

Although many sordid details of the program have been public for years, the U.S. continues to not only fail to investigate those responsible, but also stonewall investigations by others, including Poland. The future of the investigation of SiemiÄ...tkowski is in some doubt, with the U.S. authorities refusing to cooperate with the investigation, reports the Polish newspaper Gazeta Wyborcza.

The refusal to cooperate with the investigation follows a well-established pattern by the administration of Barack Obama. As President-elect in January 2009, Obama said there should be prosecutions if "somebody has blatantly broken the law" but that CIA employees who participated in questionable policies of "extraordinary rendition" and "enhanced interrogation" should not be overly concerned.

"Part of my job," he said, "is to make sure that, for example, at the CIA, you've got extraordinarily talented people who are working very hard to keep Americans safe. I don't want them to suddenly feel like they've got spend their all their time looking over their shoulders."

Upon taking office, Obama promised to "look forward as opposed to looking backwards" regarding crimes committed by the previous administration.

Upside-Down Accountability

In the three-plus years since then, it has become abundantly clear that those who may have engaged in unlawful interrogation or extrajudicial detention during the Bush years have nothing to worry about. In fact, the only CIA employees who have been prosecuted under the Obama administration are those who have attempted to blow the whistle on abuses at the agency.

The most recent example is that of John C. Kiriakou, a CIA agent made famous by his public opposition to waterboarding. He was indicted by a grand jury for leaking government secrets to reporters. Kiriakou is accused of giving journalists the name of another CIA operative and his role in the capture of al-Qaeda suspect Abu Zubaydah shortly after 9/11.

Abu Zubaydah is said to have been tortured in the CIA's secret prison in Poland and is one of two individuals granted "victim status" by prosecutors in Warsaw. This will allow their lawyers to review evidence and question witnesses as part of the prosecutors' investigation.

The indictment of Kiriakou is part of an aggressive Justice Department crackdown on leakers and is one of a half-dozen such cases opened during the Obama administration. Coupled with the administration's refusal to cooperate with the Polish authorities in its investigation of secret CIA prisons, it appears to be part of a concerted effort to prevent any more details about this program from

seeing the light of day.

Still, human rights activists and lawyers are coming to view Poland and its courts as one of the best chances to uncover the truth about U.S. rendition and torture in Eastern Europe.

“In Poland, the democratic system has turned out to be much more mature than in other countries,” said Adam Bodnar of the Polish Helsinki Foundation for Human Rights. “There’s a group of people, judges, prosecutors, journalists, some politicians, who take the constitution seriously.”

Considering the lack of any such seriousness on the other side of the Atlantic, the Polish investigation may also be Americans’ best hope for learning the truth about the CIA’s secret prisons, as well as its broader rendition and torture program.

Nat Parry is co-author of *Neck Deep: The Disastrous Presidency of George W. Bush*. [Reposted from Compliancecampaign with author’s permission.]

A Voice for Domestic Workers

For 15 years, Ai-jen Poo has been fighting for the rights of domestic workers in the United States, an organizing task that many labor experts thought impossible given the sketchy information about who these housekeepers and caregivers are and where they work. But she has scored some stunning successes, Dennis J. Bernstein reports.

By Dennis J. Bernstein

This week, Time magazine named Ai-jen Poo, director of the National Domestic Workers Alliance, to the 2012 Time 100, the magazine’s annual list of the 100 most influential people in the world. Poo is the co-director of National Domestic Workers Alliance.

Poo’s organizing of domestic workers has included a decade-long struggle that culminated in the passage of the groundbreaking Domestic Workers Bill of Rights in New York State, which earned her the informal title of “the Nannies’ Norma Ray.” In 2007 she co-founded the National Domestic Workers Alliance to bring dignity and respect to this growing, yet undervalued, workforce nationally.

She is also the co-director of Caring Across Generations (CAG), a national campaign including over 200 advocacy organizations working together for quality

jobs and a dignified quality of life for all Americans.

The Time 100 list spotlights the activism, innovation and achievement of the world's most influential individuals.

As Time Managing Editor Richard Stengel has said of the list in the past, "The Time 100 is not a list of the most powerful people in the world, it's not a list of the smartest people in the world, it's a list of the most influential people in the world. They're scientists, they're thinkers, they're philosophers, they're leaders, they're icons, they're artists, they're visionaries. People who are using their ideas, their visions, their actions to transform the world and have an effect on a multitude of people."

On April 18, I spoke with Ai-Jen Poo about her work, her life and the inspirations in her life that lead her down the path to work with some of the most abused, under-protected and disinherited members of the U.S. workforce.

DB: Congratulations on the honor. Were you surprised?

AP: I was surprised, but you know I think it's a testament to all the wonderful organizing that's been happening among domestic workers around the country. Finally this is a work force whose time has come, and an issue that's time has come.

DB: Tell us about the National Domestic Workers Alliance. Who do you represent? And tell us something about these people by introducing us to a few of them.

AP: Sure. The National Domestic Workers Alliance is an alliance of 35 local organizations representing nannies, housekeepers and caregivers for the elderly, in 19 cities and 11 states around the country. So we're talking about organizations in San Francisco and Oakland who have been organizing immigrant women who work as caregivers and housekeepers, domestic workers of all sorts. And so it's all kinds of organizations, all of whom are working to gain respect and recognition for this very important work that we believe is the work that makes all other work possible.

And one of the things that we've, well, what we've seen is the work force is incredibly vulnerable. So I'm not sure how familiar you and your listeners are but domestic workers are still excluded from almost every major labor law that exists in this country. And the work force is very isolated, working in individual scattered homes around the country.

No one knows really where they are or which households have domestic workers. It's not registered anywhere. So there's a high degree of vulnerability and a legacy of exclusion and discrimination. And so what that means is workers like

Maria work 12 hours, 13, 14 hours a day for low wages, sometimes below minimum wage, usually without overtime pay, and high degrees of vulnerability to abuse, to harassment, to unjust firing, to denial of basic rights.

And so that's what the organizing has been about; lifting up those stories, building the power of the work force and changing the laws to bring respect and recognition to this work.

DB: We're speaking with Al-Jen Poo, she's Director of the National Domestic Workers Alliance. She was chosen by Time to be one of the most 100 influential people in the world. I don't always agree with Time, but this is a very important choice for the positive and these women, women who do this work, just so we are clear, are often times in grave danger because nobody knows where they are. Because they are disconnected, because often times they have no line out to the rest of the world.

AP: That's right, there's isolation, it's really, if we think about what it took for the women's movement to really educate the broader public, and really bring the notion that domestic violence is not just a few isolated incidences but it's actually a systemic problem. To really break the silence around violence against women that happens behind closed doors, it gives you a sense of what might be happening behind closed doors in homes around the country, where women are working.

And this is an enormous and growing work force. We estimated at least 2 ½ million workers are doing this work that makes all other work possible in households around the country. And to have that large of a work force be so invisible, and so isolated, and so vulnerable to abuse, is exactly what we are trying to address.

DB: Well, now since you co-founded the National Domestic Workers Alliance there have been a couple of very significant victories. And one them is the Domestic Workers Bill of Rights in New York State. Tell us about that and then we're going to ask you how perhaps that can be a model for the rest of the country.

AP: Absolutely, after a six year organizing campaign where hundreds of domestic workers journeyed to the capital of the state of New York, Albany, to tell their stories and assert their dignity and demand justice, we were successful in passing the very first Domestic Workers Bill of Rights in the country, extending basic [labor rights to] over 200,000 women who do domestic work in the state of New York.

It was an historic breakthrough and last year in Geneva we had our second historic breakthrough when the international labor organization passed the first

international convention on domestic work, establishing basic labor standards, for the over 100 million people who work as domestic workers around the world.

And now we're on our way to the next historic breakthrough which is to pass a domestic workers bill of rights in the state of California, where again, another over 200,000 domestic workers work every day in households helping the families throughout the state of California and supporting those families and professionals to be able to do what they need to do every day.

And that work force is on the brink of another very important victory with the passage of assembly bill 889 and we're hoping that your listeners will support that piece of legislation and contact their local state senators and let them know that this is an issue that is important to them and touches all of us and is a priority for the state of California.

DB: Can I ask you how you became engaged in this work; how you came to join these women in this battle? Where did it start for you?

AP: I come from a long line of really strong women who took care of our family and their community and in their profession also did care work. My grandmother was a nurse, and my mother's a doctor and a lot of the work that they did to care for families in their community was not really valued. Was not valued for what it was truly worth, and what it is truly worth. And I think I saw that growing up and I also saw a tremendous amount of violence against women in our community.

And so I early on became involved in women's organizations and domestic violence advocacy, which eventually lead to women's organizing, to support women to create a different future, a different economy, a different democracy, for all of us. And I think the perspective the woman we always say that when you look at the world through the eyes of the women you see the world much more clearly both in terms of the problems at hand and in terms of the solution; the potential solution and the ways forward.

So I have always really followed the leadership of the women who I work with and whom I connected to, who have led me along this path.

DB: There's that wonderful quote from that poet Muriel Rukeyser when she wrote "What would happen if one woman told the truth about her life? ... The world will split open."

AP: That's right.

DB: Yeah, well you not only have told the truth about your own life, but you've put it on the line for some of the most oppressed and at the same time, proud

and courageous women because it is a fact that it takes unbelievable courage to be, for instance, undocumented, a woman, a person of color, isolated, with not a lot of money, and having to protect your family, and all their lives. So these are courageous women standing up, right?

AP: I see the most incredible acts of courage every single day in our work force. The courage it takes to assert your dignity, and assert your humanity, in the face of the vulnerability, and the denial and the systemic devaluing of your work on a daily basis and to still take pride in it. And to still bring love, and energy, and hope, to the work that you do and to the work of organizing for change.

And not only have people denied the value of domestic work but people have said that domestic workers are unorganizable. And so to be able to stand up in the face of all of that and to assert our dignity and to assert the possibility of power, of dignity, of respect, I've been witness for the last 15 years to incredible courage. And every day it inspires me to get up and do what I do and I know that it's going to continue to make history.

DB: They did get a domestic workers bill of rights passed in New York, now the battle is in California. I know the battle is going to be in one state after another. If people want more information about your organization, how do they get that.

AP: Please sign up for our web site list at www.domesticworkers.org and sign up for our list so we can stay in touch with you. There's a role for everyone in our movement. We need all of us, all of us are connected, and we can all make history and follow the lead of this incredible work force who have courageously been paving the way to a more caring, equitable economy for all of us. And we need you, and we need your voices in this movement.

Dennis J. Bernstein is a host of "Flashpoints" on the Pacifica radio network and the author of *Special Ed: Voices from a Hidden Classroom*. You can access the audio archives at www.flashpoints.net. You can get in touch with the author at dbernstein@igc.org.
