

# The Maher Arar case: Washington's practice of torture by proxy

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Maher Arar's poignant account of his treatment by US, Jordanian and Syrian authorities constitutes a devastating exposure of the illegal, arbitrary and barbaric methods Washington is employing in the name of combating terrorism. It also raises vital questions as to the role that the Canadian government and its police and intelligence agencies played in delivering Arar into the hands of his torturers. (See: Canadian authorities complicit in Arar's illegal detention and torture.)

A Canadian citizen of Syrian birth, Maher Arar was deported by the US government to Syria via Jordan, with the understanding that the Syrian regime would torture him on Washington's behalf. The US codename for this practice of torture by proxy is "extraordinary rendition."

Officially, US authorities deny that they place persons in the hands of regimes that engage in torture. To do so contravenes both international and US law. But in response to the outcry over the Arar case, US officials have vigorously defended Washington's practice of contracting out interrogations to regimes notorious for their brutality.

A "senior US intelligence official" told the *Washington Post* that there have been "a lot of rendition activities" since September 11, 2001, "...and they have been very productive." The *Post* cites another unnamed US official as saying, "Someone might be able to get information we can't from detainees." A third US official previously told the *Post*: "We don't kick the s— out of them. We send them to other countries so they can kick the s— out of them."

Torture, in any circumstances, is abhorrent and illegal. But in the case of Arar, the US had no credible evidence linking him to any terrorist organization. His torture by Syrian military personnel was a US state security-commissioned fishing expedition.

The 33-year-old computer and telecommunications technician was detained by US immigration officials at New York's JFK Airport in September 2002, while returning to Canada from Tunisia, where he had been visiting his wife's family. During his subsequent 12-day interrogation by immigration, New York City Police and FBI personnel, Arar was strip-searched, placed in shackles, denied food or sleep for a 28-hour stretch, injected with an unknown substance, and bullied into signing documents he was not allowed to read. For the first five days, Arar was not permitted to see a lawyer or inform anyone, including his family or the Canadian consulate, as to his whereabouts. "They told me I had no right to a lawyer," says Arar, "because I was not an American citizen."

Arar had frequently travelled to the US for his work, and only a few months earlier had had his US work-permit extended. He was thus shocked when his interrogators swore and screamed at him, demanding he confess to terrorist ties. The basis of their claim was guilt-by-association and wild extrapolation. Arar is an acquaintance of another Syrian-Canadian who is believed to know an Egyptian-Canadian whose brother was purportedly mentioned in an Al Qaeda document.

Throughout, Arar vigorously denied his interrogators' allegations. When he realized he might be deported to Syria, he protested that as someone who had left that country so as not to have to perform compulsory military duty and who had family members who had been jailed for alleged ties to the Muslim Brotherhood, he was certain to be tortured if returned there.

What Arar soon found out was that torture was exactly what his US captors wanted.

Since the claim that Arar was implicated in terrorism was nothing more than innuendo, suspicion and anti-

Arab prejudice, US authorities could not hold him indefinitely. After all, he had not been captured in Afghanistan, where the US has ignored the Geneva Conventions and applied its own rules for dealing with “enemy combatants.” Nor was he even technically in violation of US immigration rules, as were most of those caught up in the post-September 11 US government-dragnet.

Nonetheless, US authorities were determined not to cede to Arar’s request that he be deported to Canada, the country where he had resided for most of the past 15 years, where his wife and two children live, and whose passport he was travelling on. Had they done so, they undoubtedly could have called on the Canadian police and intelligence agencies, with whom they cooperate on a daily basis, to continue to investigate Arar. (Indeed, US government officials have said that it was on the basis of intelligence supplied by Canadian police and security agencies that they acted against Arar.) Instead, they chose to render him to Syria, so he could be detained indefinitely without trial and his interrogators could continue using other, more savage, methods.

In the absence of his lawyer and Canadian consular representation, an immigration “hearing” was held at which Arar was told he was being expelled to Syria. “They told me,” recalls Arar, “that based on classified information that they could not reveal to me, I would be deported to Syria. I said again that I would be tortured there. Then they read part of the document where it explained that INS was not the body that deals with Geneva Convention regarding torture.”

Arar was then transported to Washington, where he was placed in the hands of a “special removal unit” and flown in a small jet to Amman, Jordan.

Once in the custody of Jordanian security personnel, he was blindfolded, shackled and driven round for half a day, during which he was frequently physically attacked. “Every time I talked,” reports Arar, “they beat me.” Finally he was delivered to the Syrian border, from whence he was taken to a Syrian military prison.

Arar would spend a total of 10 months in captivity in Syria. For much of this time, he was held in solitary confinement in a tiny cell that he has likened to a grave. “It had no light, it was three feet wide, it was six feet deep, it was seven feet high... There was a small opening in the ceiling...and from time to time, the cats

peed through the opening into the cell... I had moments I wanted to kill myself.”

Arar was repeatedly assaulted with an electric cable, threatened with even more severe forms of torture and forced to endure the screams of fellow prisoners. “Interrogators constantly threatened me with the metal chair, tire and electric shocks. The tire is used to restrain prisoners while they torture them with beating on the soles of their feet. I guess I was lucky, because they put me in the tire, but only as a threat.”

The full text of Arar’s November 4 press statement, which recounts his experience in harrowing detail, can be viewed at this address.

The chargé d’affaires at Syria’s US embassy, Imad Moustafa, has admitted that Syria imprisoned Arar at the US’s request: “They told us he was an al Qaeda activist, so we took him and put him in custody.”

That Arar was being held and tortured by the Syrians on behalf of Washington is underscored by the timing of his release. Arar was allowed to return home to Canada in mid-October, shortly after the US had endorsed an Israeli bombing raid against Syria.

Washington routinely levels accusations of torture against regimes that have run afoul of the US’s economic and geo-political interests. But, as the Arar case demonstrates, such condemnations are utterly hypocritical. The Bush administration feels no more bound by international and US laws that forbid torture and rendering persons into the hands of torturers, than it does by international and US constitutional prohibitions banning detention without trial and “pre-emptive” wars.



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