

House Passes Braley's Bill to Help Tortured American Veterans Pursue Justice

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Washington, DC - Today, the House passed Rep. Bruce Braley's (D-Iowa) Justice for Victims of Torture and Terrorism Act, which would restore the rights of American citizens who were tortured by Sadaam Hussein's government to be compensated for their injuries.

Braley's bill would restore a provision in the 2008 Defense Authorization Act to ensure that the Iraqi government finally satisfies outstanding judgments and claims by American victims of Iraqi torture and terrorism.

"Today the House took a step toward providing justice for tortured American veterans," Braley said. "This bill sets our priorities straight- protecting American citizens and veterans tortured as human shields and POWs should come before protecting foreign assets. We must send a message that other countries will be held accountable for torturing Americans, to ensure that it never happens again."

During the Gulf War, Congress unanimously passed resolutions condemning the torture of U.S. POWs and citizens and stating a clear intention to hold Iraq accountable for its actions. In 1996, Congress passed an amendment to the Foreign Sovereign Immunities Act (FSIA) to enable American victims of torture to seek compensation from terrorist countries, including Iraq.

In 2002, 17 American ex-prisoners of war who were brutally tortured in Iraq during the first Persian Gulf War sued Saddam Hussein's regime, and eventually won a judgment against the government of Iraq, which had been declared a state sponsor of terrorism following the invasion of Kuwait. But shortly after the invasion of Iraq, the Bush administration intervened to seize Iraqi assets held in the U.S. and diverted them to be used to reconstruct the Iraqi oilfields in Operation Iraqi Freedom.

Last December, President Bush vetoed the massive Defense Authorization Act over a provision that allowed American POWs tortured in Iraq to enforce valid judgments against the Iraqi government in US courts. Despite strong bipartisan support for the provision, the President's veto forced Congress to strip the language from the Defense bill to ensure its passage into law, effectively giving Iraq immunity for acts of torture committed while Iraq was a declared "state sponsor of terrorism."

The Third Geneva Convention expressly forbids action by the United States to absolve another country from liability for torturing prisoners of war.