

SPAIN WILL INVESTIGATE GITMO TORTURE

The High Court in Spain has decided that it can proceed with its investigation of the torture that Lahcen Ikassrien alleges he suffered at Gitmo.

A Spanish court Friday agreed to investigate a complaint by a Moroccan who said he was tortured while in the US detention camp in Guantanamo Bay, Cuba, judicial sources said.

The National Court said it was competent to take the case as the complainant, Lahcen Ikassrien, has been living in Spain for 13 years.

[snip]

The judges Friday rejected an appeal by prosecutors who sought to have the case thrown out on the grounds that Ikassrien did not have sufficient links with Spain.

Here's what the Center for Constitutional Rights has to say about the news:

This is a monumental decision that will enable a Spanish judge to continue a case on the "authorized and systematic plan of torture and ill treatment" by U.S. officials at Guantanamo. Geoffrey Miller, the former commanding officer at Guantánamo, has already been implicated, and the case will surely move up the chain of command. Since the U.S. government has not only failed to investigate the illegal actions of its own officials and, according to diplomatic cables released by WikiLeaks, also sought to interfere in the Spanish judicial process and stop the case from

proceeding, this will be the first real investigation of the U.S. torture program. This is a victory for accountability and a blow against impunity. The Center for Constitutional Rights applauds the Spanish courts for not bowing to political pressure and for undertaking what may be the most important investigation in decades.

As always, it pays to be skeptical that the US won't still find a way to quash this investigation. But given the exposure WikiLeaks gave DOJ's prior interventions with Spanish officials, they may have overplayed their hand. Also note, this is not the case that implicates the 6 lawyers who approved torture. I suspect that the pending suits against John Yoo and others might give the DOJ the ability to claim that crime is still being investigated here in the states.

Update: CCR quote updated.