

The logo for the New York City Bar, featuring the text "NEW YORK CITY BAR" in a serif font, centered between two horizontal blue bars.

NEW YORK
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Compensation for Victims of Torture
City Bar Letter to Military and DOJ Leaders
on the “Uncontroverted Evidence of Torture” in Khan Case

New York, January 31, 2021 – The New York City Bar Association [has written](#) to U.S. military and Department of Justice officials, on the “uncontroverted evidence of torture” in the case of *United States v. Majid Khan* before a military commission convened in Guantánamo, one of the few instances in the Guantanamo proceedings in which clear testimonial evidence of torture suffered by prisoners in the hands of the U.S. government has been permitted to be placed on the public record.

While the City Bar expresses no view on the particular outcome in the Khan case, it takes note of the memorandum issued collectively by seven of the eight officers who were convened as a panel to hear and assess the evidence and render a verdict, noting in particular these lines in the recommendation of clemency to the Convening Authority:

“Mr. Khan was subjected to physical and psychological abuse well beyond approved enhanced interrogation techniques, instead being closer to torture performed by the most abusive regimes in modern history. This abuse was of no practical value in terms of intelligence, or any other tangible benefit to U.S. interests. Instead, it is a stain on the moral fiber of America; the treatment of Mr. Khan in the hands of U.S. Personnel should be a source of shame for the U.S. government.”

While the City Bar [has consistently urged](#) the investigation and prosecution of those officials responsible for torture, the focus of the letter is on the requirement of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) (“CAT”) – to which the U.S. is a party – that victims of torture receive compensation from any government which inflicts torture.

The City Bar offers several recommendations for how the military commission’s proceedings can begin to redress America’s failure to provide compensation to torture victims, and reiterates the Association’s [prior reports](#) calling for [accountability](#) by those responsible for torture, as well

as its [recent proposal](#) for a federal court branch in Guantánamo to replace the military commissions, “a proposal that would provide a more regular basis for addressing these issues, including victim restitution.”

Read the letter here: <https://bit.ly/33WQJUu>

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has approximately 24,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world. www.nycbar.org