

## **A few words about the last Senate's CIA torture report in the US**

*Dedicated to Professors Carmen Almendros, PhD; Raquel Benito, LLM; Carlos Ezama, PhBch; Liborio Hierro, PhD; Juan Antonio Lascurain, Phd; Blanca Mendoza, PhD; Fernando Molina, Phd; Enrique Peñaranda, PhD; Evaristo Prieto, PhD; Carmen Tomás-Valiente, PhD, and many other Masters, that taught me the reasons why the torture never must be justified.*

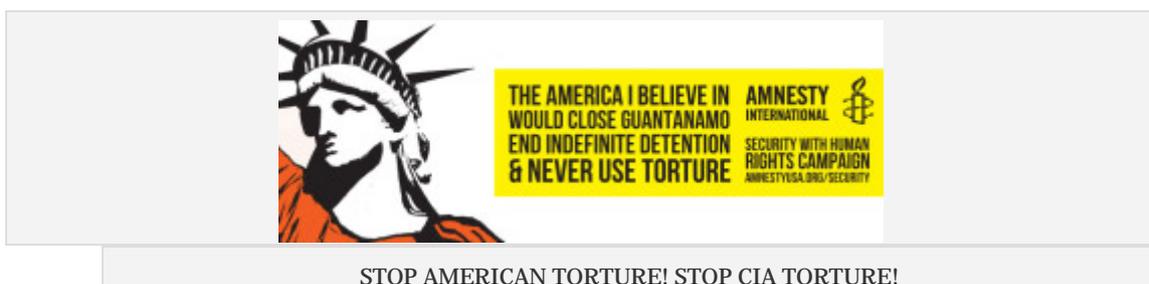
*To all men and women of goodwill, included a few workers of Intelligence Agencies*

### **Info:**

<http://www.theguardian.com/us-news/2014/dec/08/cia-torture-report-release-date-nears>

Official reactions: <http://www.theguardian.com/us-news/2014/dec/09/americas-politicians-activists-reacted-senates-cia-torture-report-twitter>

Link to my comment on theguardian.com (it reproduces this post): <http://discussion.theguardian.com/comment-permalink/44785592>



Dear Srs. responsible of tortures at your respective level of command, civil and military authorities:

Only your conscience knows or will know what you have done or permitted, even with good intentions. This is just my brief and humble opinion on the state

of the question, just published yesterday on  
<https://www.facebook.com/pablo.guerez?fref=nf&pnref=story>.

Nothing, absolutely nothing, justifies torture against any human being inflicted by the State, and less in a democratic Nation.

Premature Nobel Peace Prize Barack Obama must take his responsibility, even objectively or by omission, before their national courts and the international community.

Some people will think I am an "idealist", or an "antiamerican", just for express my opinion in a several matter, according to the 1st Amendment of the Constitution of the United States of America.

I do not care. I prefer to be the subject of accusations of the new McCarthyism based in the Patriot Acts post 9/11 than be the subject of accusation of support of the torture as a normal State mechanism, or supporter of the omission of his complaint. So no war against ISIS, no war against domestic or external enemies, no menace, is to important for your Nation, and for the community of democratic Nations, to loose the faith in the human rights and human dignity.

Only for this reason, President Obama, President of the United States, you have me deeply disappointed not only me, but a huge part of your American voters and supporters all over the world. Not only because I trusted you as US President, but because I know the world when I live and I know you are formally the most powerful man on the earth.

Fortunately, in a democratic Nation like the United States, these things sooner or later come to be known. And even judged. No one is privileged regarding these crimes as in the twentieth century. No one, I repeat, no one, can claim the right to torture anyone as a State representative. Even, as indicated, among others, Prof. Fernando Molina, Phd, Autonomous University of Madrid, in tragic cases like "nuclear ticking bomb" scenes (cfr. Molina, *Estado de Necesidad y Justificación Penal: ¿es lícita la tortura en situaciones extremas?:* 2009). The UN Convention against Torture, which in the opinion of many internationalists, is about to be considered "ius cogens", is clear at this point. In Spain, our Constitution is sharp in the case of torture, as established in art. 15: "In no case be justified torture".

With best regards,

Signed by: Pablo Guérez Tricarico, Phd, Spain

Ex Professor of Criminal Law of the Autonomous Univeristy of Madrid

Member of the "think tank" Institut of Forensic and Security Sciences of the Autonomous University of Madrid (ICSA-UAM).



A few words about the last Senate's CIA torture report in the US by [Pablo Guérez Tricarico, PhD](#) is licensed under a [Creative Commons Attribution-NonCommercial 4.0 International License](#).

Permissions beyond the scope of this license may be available [asking to the author via @pabloguerez, pablo.guerez@gmail.com or pablo.guerez@uam.es](#)