

AFFIDAVIT OF  
VINCENT JAMES IACOPINO MD, PhD  
IN SUPPORT OF MR. HASAN SUBASIC

**MEDICAL EVALUATION**

I VINCENT JAMES IACOPINO, M.D., Ph.D., hereby declare as follows:

1. I am a specialist in internal medicine and have extensive experience in the diagnosis and treatment of people who have survived torture and other forms of physical and psychological abuse.
2. I received a Bachelor of Science Degree from Villanova University in 1979. In 1980, I received a Master of Science Degree in Physiology from Georgetown University. Thereafter, I received a Ph.D. from Georgetown University, and my M.D. from the Georgetown University School of Medicine in 1985.
3. My internship and residency in internal medicine was at the University of Minnesota Hospitals and Clinics and was from July 1985 to June 1986 and April 1987 to April 1989.
4. I was the Chief Resident at the VA Medical Center in Minneapolis, Minnesota, from June 1989 to June 1990.
5. From July 1991 to July 1993, I was a Clinical Scholar with the Robert Wood Johnson Clinical Scholars Program at Stanford University and the University of California, San Francisco, and Attending Physician at the VA Medical Center in Palo Alto.
6. My honors and awards have included: a Certificate of Commendation for Volunteer Efforts to Aid Refugees, State of Minnesota, Governor's Office, 1989; an Upjohn Achievement Award for Outstanding Research and Scholarship, 1985; and a Joseph Collins Foundation scholarship for Academic Achievement and Proficiency in the Arts and Letters, 1984, 1985.
7. I am currently licensed by the State of California as an M.D. and Board Certified in internal medicine by the American Board of Internal Medicine.
8. My present positions include: Senior Medical Consultant for Physicians for Human Rights (PHR), Boston, Massachusetts, an organization that brings the scientific knowledge and skills of the medical sciences to the investigation and prevention of violations of international human rights and humanitarian law, and Instructor in "Health and Human Rights" at University of California, Berkeley, School of Public Health. During the past eight years working with PHR, I participated in the investigation and documentation of human rights violations in many countries including: Albania and Macedonia (April 1999), Afghanistan (May 1998), South Africa (3/97 and 7/97), Turkey (6/95 and 6/97) Kashmir India (10/92), Punjab India (10/92) and Thailand (5/92). In the course of this work, I evaluated medical evidence of torture more than several hundred individuals.
9. Between 1991 and July 1997, I was Medical Director of Survivors International, San Francisco, California, an organization that provides medical and psychological care to survivors of torture from around the world. Through this work, I have examined and participated in the care of more than 100 survivors of torture. Presently, I am a member of the Board of Directors of Survivors International.
10. I have qualified as a medical expert in US Immigration Courts regarding assessment of physical and psychological consequences of torture on more than 100 occasions. Also, I have qualified in US Immigration Courts on numerous occasions to testify on human rights conditions in counties where I have conducted human rights investigations.
11. During the past three years, I have been the International Coordinator of a project to develop a UN Manual on the Effective Documentation of Torture. More than 50 medical, legal and human rights experts contributed the 100-page Manual. On August 9 1999, the Manual will be formally submitted to the United Nations Special Rapporteur on Torture for publication and distribution.

12. I have qualified as a medical expert in US, Canadian and British Immigration Courts regarding assessment of physical and psychological consequences of torture on many occasions.
13. I currently serve on the Editorial Board of the Western Journal of Medicine and the Journal of Immigrant Health.
14. In addition to basic science and clinical publications, I am author of several human rights publications including:

Iacopino V, Waldman RJ. Editorial: War and Health, from Solferino to Kosovo: the Evolving Role of Physicians. JAMA. August 4, 1999; 282: In Press.

Frank M, Bauer HM, Fincanci Korur S, Arican N, Iacopino V. Virginity Examinations in Turkey: The Role of Forensic Physicians in Controlling Female Sexuality. JAMA. August 4, 1999; 282: In Press.

Heisler M, Rasekh Z, Iacopino V. Health and Human Rights of Adolescent Girls in Afghanistan. Journal of the American Medical Women's Association. 1999; In Press.

Iacopino V, Frank MW, Keller AS, Fink SL, Pallin DJ, Waldman RJ, et al. War Crimes in Kosovo: A Population-Based Assessment. Boston, MA: Physicians for Human Rights; June, 1999.

Iacopino V. Mental Health of Women in Afghanistan [letter]. JAMA. 1999; 281(3):231.

Sirkin S, Iacopino V, Grodin M, and Danieli Y. The Role of Health Professionals in Protecting and Promoting Human Rights: A Paradigm for Professional Responsibility. In Danieli Y, Stamatopoulou E, Dias CJ, eds. The Universal Declaration of Human Rights: Fifty Years and Beyond. Amityville, NY: Baywood Publishing Co. 1999:357-369.

Iacopino V, Rasekh Z. Education, A Human Rights Imperative: The Case of Afghanistan. Health and Human Rights. 1998; 3(2):98-108.

Iacopino V, Rasekh Z, Ely Yamin A, Burkhalter H, Atkinson H, Heisler M. The Taliban's War on Women: A Health and Human Rights Crisis in Afghanistan. Physicians for Human Rights. September, 1998.

Rasekh Z, Bauer H, Manos M, Iacopino V. Women's Health and Human Rights in Afghanistan. JAMA. 1998; 280(5):449-455.

The Consortium for Health and Human Rights. Health and human rights, a call to action: the 50<sup>th</sup> anniversary of the Universal Declaration of Human Rights. JAMA. 1998; 280(5):462-464.

Chapman AR, Rubenstein LS, Iacopino V, Geiger J, Bloche G, Hatch J, Lawrence R, Nichols B and Secundy M. Human Rights and Health: The Legacy of Apartheid. Washington, DC. American Association for the Advancement of Science; 1998: 1-217.

Iacopino V. Treatment of Survivors of Political Torture: Commentary. The Journal of Ambulatory Care Management. 1998; 21(2):5-13.

Iacopino V. Social Justice Equals Public Health. The Wall Street Journal. December 19, 1996.

Iacopino V. Turkish Physicians Coerced to Conceal Systematic Torture. The Lancet. 348, November 30, 1996.

Weinstein, H., Dansky, L. and Iacopino V. Torture and War Trauma in Primary Care Practice. The Western Journal of Medicine. 1996; 156(3):112-118.

Iacopino V, Heisler M, Pishever S, and Kirschner RH. Turkiye’de Gozalti Sonrasi Yapilan Tibbi Muayenelerde Iskence Kanitlarinin Yanlis Sunulmasi ve Gozardi Edilmesine Hekimlerin Katilimi. Turk Psikiyatri Dergisi

Iacopino V, Heisler M, Pishever S, and Kirschner RH. Physician Complicity in Misrepresentation and Omission of Medical Evidence in Post-Detention Medical Examinations in Turkey. JAMA. 1996; 276:396-402.

Iacopino V, Rosoff, R, and Heisler M. Torture in Turkey and Its Unwilling Accomplices. Physicians for Human Rights. August, 1996

Iacopino V. Physicians for Human Rights: Promoting Health by Protecting Human Rights. San Francisco Medicine, October 1995.

Iacopino V. Human Rights: Health Concerns for the Twenty-First Century. In: Majumdar SK, Rosenfeld LM, Nash DB, Audet AM, Editors. Medicine and Health Care Into the Twenty-First Century. Philadelphia: Pennsylvania Academy of Science. 1995:376-392.

Gossman P, Iacopino, V. Dead Silence: The Legacy of Human Rights Abuses in Punjab. Physicians for Human Rights and Human Rights Watch. May, 1994.

Gossman P, Iacopino, V. The Human Rights Crisis in Kashmir: A Pattern of Impunity. Physicians for Human Rights and Human Rights Watch. June, 1993.

Iacopino V, Gossman P. Rape in Kashmir: A Crime of War. Physicians for Human Rights and Human Rights Watch. May, 1993.

Gossman P, Iacopino V. Crackdown in Kashmir: torture of detainees and assaults on the medical community. Physicians for Human Rights and Human Rights Watch. January, 1993.

Iacopino V, Jones S. Thailand, Bloody May: Excessive Use of Lethal Force in Bangkok, The Events of May 17-21 1992. Physicians for Human Rights and Human Rights Watch. October, 1992.

Elias C, Iacopino V. Medicine in Cambodian Refugee Camps [letter]. Annals of Internal Medicine. 1987; 106(3): 482.

15. I have conducted more than 70 human rights presentations in the past ten years, many of which focus specifically on the medical and psychological consequences of torture include the following.

#### BACKGROUND

16. On 11/10/98, I conducted a detailed, 2-hour interview and examination of Mr. Hassan Subasic. Dr. Joseph Hess MD was present as an observer. Mr. Subasic is a 29 year-old married man originally from Bosanski Samac, Bosnia. He completed 12 years of education and became a welder. He stated that he was not politically active and did not serve in the military. He has two children ages 7 and 14. He arrived in the US on 9/29/99.

#### MEDICAL HISTORY PRIOR TO ARREST

17. Mr. Subasic’s medical history is significant for a tonsillectomy and “fracture” of the left forehead as a child. He has about a 12 pack-year smoking history.

#### TORTURE EXPERIENCES

18. On April 24 1992, Mr. Subasic was detained by Bosnian Serb Police. The police came to his house and told him they wanted to ask him some questions. He was taken to Police Headquarters for about 3 hours, then taken to the “To Warehouse” where he was detained for 3 days. He was kept in a room approximately 15 x 15 feet with about 25 to 30 other detainees. During the 3 days that he was there, he was beaten approximately 10 to 15 times. The beatings generally lasted 10 to 15 minutes and sometimes ended after he lost consciousness. The perpetrators used metal pipes, wooden rods and rubber truncheons for the beatings. He was not restrained during the beatings and was struck all over his body, especially his ribs. Mr. Subasic recalls that while he was

curled up facing the floor, he was kicked on his right chest wall. He experienced pain in that area during the next two months and noticed black and blue marks for nearly the same duration. He did not experience acute shortness of breath or hemoptysis (coughing up blood). He continues to experience right sided chest pain when lifting heavy objects. At the "To Warehouse," 4 of his teeth were forcibly extracted with pliers. This was very painful. While at "To Warehouse," he saw a person named "Nicola" 4 or 5 times who participated in beating Mr. Subasic twice. Also, at the "To Warehouse" perpetrators sometimes would shoot their guns above the detainees' heads and threaten to kill them. Mr. Subasic witnessed the death of one fellow detainee.

19. He was transferred to Brecko army barracks where he was interrogated and beaten by Serb forces. He was asked questions like: "What is your function in the army; and how many Serbs have you killed?"
20. On about May 1 1992, he was transferred to Bejeljina (another army barracks) where he was detained for about 3 days. Serb forces beat him on his hands and legs and threatened to kill him several times.
21. In mid May, he was transferred to Bosanski Samac High School, where he stayed overnight, and then transferred to the Osnova Scola primary school (OS) where he stayed for about 3 ½ months. At the OS, he was detained in a gymnasium with about 40-55 other detainees. He estimates that he was beaten about 40 to 50 times, sometimes a few blows, but mostly 10 minutes (he estimates 20 to 30 times) to 2 hours. Objects used in the beatings included kicks, fists, truncheons, gun butts, wooden sticks, a baseball bat, chairs, etc. Many times he was beaten on the dorsum (backside) of his hands and his ankles. He usually experienced pain and swelling for at least several days from these injuries and did not notice any fractures or deformities. He has chronic pain in his knees and elbows that usually is precipitated by cold or rainy weather and now interferes with his work welding. During one of the beatings, the left side of his abdomen was cut. This bled and subsequently left a scar. On several occasions, he was forced to assume a kneeling position for 7 to 10 hours. This was associated with considerable pain in his knees. Also, he was kicked in the testicles and told that "you can no longer have kids."
22. In August (or thereabouts) he was transferred back to "To Warehouse" until November. During that time he was beaten only a few times. The beatings were described as similar to those he experienced before, but less intense and of shorter duration.
23. In November 1992, he was transferred to Batkovic concentration camp where he was forced to work digging trenches, loading dead Serbs on trucks, and agriculture. He said he was only beaten twice during this time. The work was hard and he lost approximately 45lbs.
24. On June 9 1994, he was released in a prisoner exchange.
25. After one of the beatings that Mr. Subasic experienced, he noted marked swelling and pain over the left side of his face. Subsequently, he noted a "droop" on the left side that slowly resolved. After beatings, he noted black and blue marks that generally lasted about a week or two. As mentioned above, since his torture experiences, Mr. Subasic has had chronic pain in his knees and elbows, especially with cold or rainy weather. Also, he has right sided chest wall pain when lifting heavy objects. Mr. Subasic received medical attention only once while he was detained after stepping on a nail. A physician that he knew gave him some medicine. Mr. Subasic received dental care in Salt Lake City for his dental injuries. See attached dental record.

#### PHYSICAL EXAMINATION

26. Mr. Subasic was a tall and healthy in appearance. His vital signs were normal. Examination was within normal limits with the following exceptions:
  - 1) Several missing teeth noted on both sides (See attached dental record of Dr. Floyd Tanner).
  - 2) There was crepitation in both knees with extension and mild laxity of the ligaments of the knees with the anterior drawer maneuver.
  - 3) A 3 cm x 2mm hypopigmented linear scar was noted on the L. lateral abdominal wall.

#### IMPRESSION

27. To date, I have conducted approximately several hundred interviews with survivors of torture in the San Francisco Bay Area and on human rights investigations in India, Turkey, Albanian and Macedonia. In addition, In addition, I have provided medical treatment and or asylum evaluations for about 10 Bosnian refugees in the past 5 years. On numerous occasions, I have qualified as an expert on the medical consequences of torture.
28. My assessment is that Mr. Hasan Subasic demonstrates historical and physical evidence of the abuse he alleges.
29. Historical Evidence: The historical information presented in Mr. Subasic's testimony is entirely consistent with what I would expect given the methods of torture alleged. Mr. Subasic's description of the acute wounds and injuries that he experienced (i.e. bruises following beatings and abdominal laceration), and the subsequent healing processes accurately reflect what I would expect given the methods of torture alleged. The left facial droop that was described is highly consistent with trauma to the Left facial nerve that may occur with a blow to the face that is accompanied with swelling. It is worth noting that without medical knowledge of human anatomy and pathophysiology, most individuals would not be able to provide such accurate historical information. Furthermore, the story that was related is consistent with other torture survivors that I have examined. For example, it is common for perpetrators to kick a male victim's genitals and, at the same time, tell the victim that he will no longer be able to procreate or function normally. Also, the history that was related was internally consistent. For example, location of injuries that were alleged were consistent with what one would expect during the beating of an unrestrained victim; that is, in areas exposed while the victim is in a "protective" curled up position, such as the kicks sustained to side of his chest. Mr. Subasic's symptoms of chronic pain in his knees and elbows again are consistent with the alleged abuses of prolonged kneeling and beating of the joints.
30. Physical Evidence: Mr. Subasic has several physical findings that support his allegations of abuse. First, Mr. Subasic's dental records indicate multiple missing teeth which is consistent with his allegation of forced tooth extractions. He had joint laxity in both knees and crepitation consistent with traumatic injury to ligaments in his knees and early osteoarthritis of the knees. This is often associated with kinds of torture alleged – prolonged kneeling and blunt trauma to the knees. Also, he had a small laceration type scar on the left abdominal wall suggesting a previous laceration injury.
31. Based on my knowledge of methods of torture and their physical and psychological effects, and an understanding of specific regional practices of torture in Bosnia is my judgment that Mr. Subasic's allegations of torture are entirely consistent with and supported by the historical and physical evidence presented above. Mr. Subasic continues to suffer physical sequelae of his abuse.
32. I declare under penalty of perjury, pursuant to the laws of the United States, that the foregoing is true and correct and that this affidavit was executed of 7/12/99 at Henderson, Nevada.
33. I received compensation in the amount of \$481.00, including airfare to Salt Lake City, for this medical evaluation.

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Vincent Iacopino, M.D., Ph.D.

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Date