

**Rep. Edward J. Markey (D-MA)**  
**Press Conference on Reintroduction of the Torture**  
**Outsourcing Prevention Act**

**Statement as Prepared**

**Tuesday, March 6, 2007**

Thank you very much for joining us today as we announce the reintroduction of the Torture Outsourcing Prevention Act. I would like to especially thank the representatives of the major human rights organizations that have worked with me for so long to end extraordinary rendition, and are represented here today.

We're here today to talk about extraordinary rendition, a practice which outsources the torture of individuals detained by the United States to countries known to routinely and systematically violate internationally recognized standards of human rights. Torture is torture no matter where or by whom it is committed, period.

We are here this morning to say that now is the time for Congress to step up to the plate and conclusively end a practice which has resulted in an unknown number of people being disappeared by the United States government into the clutches of the worst abusers of human rights on the planet.

Extraordinary rendition:

- is illegal under U.S. and international law,
- it undermines the moral authority and international standing of the United States,
- and it endangers our troops and personnel overseas.

Extraordinary rendition violates the guarantees enshrined in the Convention Against Torture as well as the 1998 Foreign Affairs Reform and Restructuring Act, which state that no individual can be transferred to a country where they are likely to face torture.

Extraordinary rendition undermines our international standing because our gross hypocrisy prevents us from effectively advocating for improved human rights policies around the globe.

Finally, extraordinary rendition endangers our troops overseas by encouraging other countries to loosen their own adherence to treaties such as the Convention Against Torture and the Geneva Conventions, the very treaties which are the last line of defense for American POWs from abusive treatment at the hands of their captors.

Extraordinary rendition is a hideous and illegal practice, and it has no place in the policy tool-kit of the United States. My bill will end the practice of extraordinary rendition once and for all:

**The Torture Outsourcing Prevention Act will:**

- **Bar the transfer of individuals** in the custody or control of the U.S. government or contractors to any country known for the use of torture, regardless of an individual's citizenship or location of seizure.
- **And it will bar the use of "diplomatic assurances"** as the basis for determining that the threat of torture does not exist.

**At the same time, the Torture Outsourcing Prevention Act will:**

- **Allow legal, treaty-based extraditions** to countries that do not torture to continue unimpeded.
- **And it will provide the Secretary of State with waiver authority** to permit transfers if the Secretary certifies to the appropriate Congressional committees that a verifiable mechanism is in place to assure that the person transferred will not face torture, and that the country no longer practices torture.

It is instructive to review the now-famous rendition story of Maher Arar, the Canadian citizen who used to live in Framingham, Massachusetts. Mr. Arar was seized in New York's JFK International Airport and shipped by the United States to Syria, where he was tortured. The Canadian government has acknowledged their role in this gross violation of Mr. Arar's human rights, apologized, and agreed to pay Mr. Arar over \$10 million.

But what has the Bush Administration done? Not only have they refused to acknowledge what happened or apologize, but they also continuing to imply – contrary to the official Canadian investigation and without releasing any evidence whatsoever – that he is connected to terrorism, and therefore remains on the U.S. "No- Fly" list. This situation is a travesty, and I will continue to work to secure Mr. Arar the unambiguous apology from the United States government that he deserves.

The Congress cannot delay any longer in addressing the Administration's use – free from any real judicial or Congressional oversight – of extraordinary rendition. With the elections in November bringing a vital new dynamic to Washington, and with the coalition of grass-roots organizations that you see here today, I feel a rising optimism that we can end this repugnant and counterproductive practice of outsourcing torture during the 110th Congress.

\* \* \* \* \*

I would now like to introduce the representatives from the Human Rights groups which have joined us today in support of the Torture Outsourcing Prevention Act.