

EDWARD J. MARKEY  
7TH DISTRICT, MASSACHUSETTS

ENERGY AND COMMERCE COMMITTEE

RANKING MEMBER  
SUBCOMMITTEE ON  
TELECOMMUNICATIONS AND  
THE INTERNET

HOMELAND SECURITY COMMITTEE

RESOURCES COMMITTEE

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-2107**

April 25, 2006

2108 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-2107  
(202) 225-2836  
[www.house.gov/markey](http://www.house.gov/markey)

DISTRICT OFFICES:

5 HIGH STREET, SUITE 101  
MEDFORD, MA 02155  
(781) 396-2900

188 CONCORD STREET, SUITE 102  
FRAMINGHAM, MA 01702  
(508) 875-2900

## Stop the Disappearance and Torture of Innocent Victims

Dear Colleague,

I draw your attention to a recent *New York Times* OpEd by Bob Herbert discussing the finding's of an Amnesty International report on extraordinary rendition, "a highly classified American program in which individuals are seized — abducted — without any semblance of due process and sent off to be interrogated by regimes that are known to engage in torture."

Herbert discusses two victims who vanished under this program - Khaled el-Masri and Maher Arar. El-Masri disappeared to Afghanistan for five months, Arar to Syria for nearly a year. Both were tortured and held in deplorable conditions. Neither was ever charged with a crime.

The number of innocent lives that have been ruined by the Administration's rendition program remains unknown. As Herbert states, "Congress needs to step in and thoroughly investigate this program, which is nothing less than a crime against humanity. Congress needs to investigate it, document it and shut it down."

I have introduced H.R. 952, the "Torture Outsourcing Prevention Act," which will stop the practice of extraordinary rendition to countries that torture and sharply restrict the practice of obtaining diplomatic assurances used to facilitate such renditions. If you would like to cosponsor this legislation, please contact Nicole Gasparini or Jeff Duncan (x52836) from my office.

Sincerely,



Edward J. Markey

## The New York Times

April 20, 2006

### Our Dirty War

By **BOB HERBERT**

I said, "Some of these folks have never been heard from again, right?"

"Yup," said Curt Goering. "That's right."

Mr. Goering is the senior deputy executive director for policy and programs at Amnesty International USA. We were discussing a subject — government-sanctioned disappearances — that ordinarily would repel most Americans.

In past years, stories about torture and "the disappeared" have been associated with sinister regimes in South and Central America. The attitude in the United States was that we were above such dirty business, that it was immoral and uncivilized, and we were better than that.

But times change, and we've lowered our moral standards several notches since then. Now people are disappearing at the hands of the U.S. government.

"Below the Radar: Secret Flights to Torture and 'Disappearance' " is the title of a recent Amnesty International report on the reprehensible practice of extraordinary rendition, a highly classified American program in which individuals are seized — abducted — without any semblance of due process and sent off to be interrogated by regimes that are known to engage in torture.

Some of the individuals swept up by rendition simply vanish.

"This is a kind of netherworld that people disappear into and don't frequently emerge from," said Mr. Goering. "It's a world that's outside the reach of law. These individuals might as well be on another planet."

There is no way to know how many people have been seized, tortured or killed. Since there are no official proceedings, there is no way to know whether a particular individual who is taken into custody is a legitimate terror suspect or someone who is innocent of any wrongdoing. But we have learned, after the fact, that mistakes have been made.

You may not be familiar with the name Khaled el-Masri, but the Bush administration sure knows who he is. Mr. Masri, a German citizen of Lebanese descent, was arrested while visiting Macedonia in December 2003. A few weeks later, he was handed over to a group of masked men dressed all in black — in the so-called ninja outfits frequently worn by the rendition cowboys.

Mr. Masri's clothes were cut off and he was drugged, put aboard a plane and flown to Afghanistan, where he was held in a squalid basement cell for five months.

It turned out, as noted by Dana Priest of The Washington Post, who was awarded a Pulitzer Prize this week for her reporting on the government's covert counterterrorism programs, that "the C.I.A. had imprisoned the wrong man."

Ms. Priest wrote:

"Masri was held for five months largely because the head of the C.I.A.'s counterterrorist center's Al Qaeda unit 'believed he was someone else,' one former C.I.A. official said. 'She didn't really know. She just had a hunch.' "

Someone had a hunch that Maher Arar was a terrorist, too. A Canadian citizen who had been born in Syria, he was snatched by American authorities at Kennedy Airport in New York on Sept. 26, 2002, and shipped off to a nightmare in Syria that lasted nearly a year. He was held for most of that time in an underground, rat-infested cell about the size of a grave.

No one, not even among the Syrians who tortured him, was ever able to come up with any evidence linking Mr. Arar to terrorism. He was released and returned to his family in Ottawa. Shunned and emotionally shattered, he seems a ruined man at just 35 years of age.

The cases of Khaled el-Masri and Maher Arar are among the handful that we know about. Most cases remain concealed in the lawless netherworld that Mr. Goering spoke of.

The Amnesty International report describes various acts of torture and other forms of mistreatment that are alleged to have been inflicted on victims of rendition. According to the report, Vincent Cannistraro, a former director of the C.I.A.'s Counterterrorism Center, said the following about a detainee who had been rendered to Egypt:

"They promptly tore his fingernails out and he started telling things."

The Bush administration will never do the right thing when it comes to rendition. Congress needs to step in and thoroughly investigate this program, which is nothing less than a crime against humanity. Congress needs to investigate it, document it and shut it down.