

**STATEMENT BY REPRESENTATIVE EDWARD J. MARKEY  
(D-MA)  
PRESS CONFERENCE  
TORTURE OUTSOURCING PREVENTION ACT, H.R. 952  
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Good afternoon, and let me begin by thanking everyone who has joined us here today.

We are here today to talk about the secret practice “extraordinary rendition,” the practice by the CIA and other government agencies are transferring detainees to countries such as Syria, Uzbekistan, Egypt, or Saudi Arabia. Each of those countries is known to practice torture in their interrogation of prisoners. Over the course of the last year, we are learning more and more about this practice and it has become all too clear that extraordinary rendition is nothing more than the outsourcing of torture.

Torture is wrong whether practiced by US officials or in the hands of Syrian or Uzbeki officials directed by the US government.

Extraordinary rendition:

- Violates international treaties that the U.S. has signed and ratified, most notably Article 3 of the Convention Against Torture;
- Undermines the moral authority of America in the eyes of the world, and our countries’ ability to credibly press for a halt to human rights violations by other governments;
- Ensures that American captives are likely to be tortured at the hands of our enemies, who will justify such actions by arguing that they are doing nothing more to our POWs than what our government is doing to those that we have captured.

Let’s be very clear about what we are talking about. We are not talking about the routine deportation of illegal immigrants, or about the

extradition of a common criminal. Such cases already allow for a judicial process, a process in which immigrants can make asylum claims or accused criminals can argue that their return would violate international law. No, we are talking about an extrajudicial, secret process in which the CIA or some other U.S. government entity acts as prosecutor, judge and jury and -- without any due process -- may send a detainee to any country in the world, including some of the planet's most notorious human rights abusers. The Bush Administration has refused to officially disclose how many people have been rendered under this practice. Unofficial reports cite that between 100-150 prisoners have been rendered since 9/11.

We only know about cases when person 'rendered' emerges from captivity. There are reports suspects being scooped up, having their clothes cut off, and being drugged, shackled and put on a plane and flown on U.S. airplanes to Syria or Jordan or Uzbekistan.

This is not about sending Syrians back to Syria or Egyptians back to Egypt. In the case of Maher Arar, a Canadian citizen, was sent to Syria. Why? Why not send him back to Canada?

No proof has ever been offered that Mr. Arar was a member of any terrorist organization. Mr. Arar was never charged or convicted of any crime in the United States or Canada or Syria. Nevertheless, Mr. Arar, a naturalized Canadian citizen, was picked up at John F. Kennedy Airport while on a stop-over on his flight home to Canada. He was accused of terrorist ties and sent to Jordan and then to Syria where he was held and tortured for nearly one year.

My bill the Outsourcing Torture Prevention Act, H.R. 952, would prevent such episodes from happening again. It would:

- Stop the secret transfer of suspected detainees to countries known by our government to use torture or cruel, inhuman or degrading treatment in the detention or interrogation of individuals;

- Sharply restrict the use of “diplomatic assurances” to facilitate renditions to countries that practice torture, and ban reliance on such assurances from countries that practice torture;
- Allow treaty-based extradition of criminal suspects consistent with the requirements of the Convention Against Torture;
- Ensure that all U.S. government agencies that imprison, detain, or transfer prisoners or detainees are required to put in place regulations which would ensure compliance with the Convention Against Torture and which would allow such detainees or prisoners the right to raise and adjudicate a claim that their transfer would violate the Convention Against Torture’s ban on sending prisoners to countries where they are likely to face torture.

Torture is morally repugnant whether we do or whether we ask another country to do it for us. We are here today to urge the Congress to take up H.R. 952 and bring an end to this shameful practice, and to send a message to the Bush Administration to ground the torture plane that is flying around the world to pick up detainees and transport them to some of the world’s most notorious human rights abusers.