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CONGRESS MUST TAKE IMMEDIATE ACTION TO STOP OUTSOURCING TORTURE

Center for Human Rights and Global Justice endorses Congressman Markey's bill reaffirming legal prohibition on "extraordinary renditions"

(New York – February 22, 2005) The United States continues to flout international and domestic law when it "renders" suspects to countries where they are tortured and sometimes "disappeared," according to the Center for Human Rights and Global Justice at NYU School of Law. The Center urged Members of Congress to put an end to these practices by enacting the Torture Outsourcing Prevention Act.

Introduced on February 17, 2005 by Congressman Edward Markey (D-MA), the Torture Outsourcing Prevention Act reaffirms existing standards against extraordinary rendition, and gives those norms teeth by explicitly preventing renditions carried out at the hands of the U.S. Government and its agents. Extraordinary renditions are contrary to U.S. law and policy, as well as treaties that the U.S. has ratified, most notably the U.N. Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, and the International Covenant on Civil and Political Rights. The proposed bill closes potential loopholes in earlier legislation implementing the Torture Convention.

"The Torture Outsourcing Prevention Act removes any doubt about the possible 'legality' of extraordinary rendition and reaffirms in the clearest terms that outsourcing torture is illegal," said Meg Satterthwaite, Research Director of the Center for Human Rights and Global Justice.

The need for legislation like the Torture Outsourcing Prevention Act is underscored by recent reports detailing U.S. government involvement in extraordinary renditions. These reports prompted action by Italian lawmakers last week. On February 17, 2005, Italian Senator Cesare Salvi called on the Italian government to investigate the role of U.S. CIA agents in the extraordinary rendition of Abu Omar, an Egyptian citizen who had been living in Milan. Abu

Omar was reportedly abducted from his neighborhood in Milan on February 17, 2003 and later transferred by plane to Egypt where he was allegedly tortured. News reports indicate that the CIA may have conducted the kidnapping. According to motions introduced in the Italian parliament, an Italian prosecutor in Milan has initiated an investigation into Abu Omar's disappearance that focuses on the role of U.S and Italian secret agents in Omar's rendition to Egypt.

The Center for Human Rights and Global Justice is encouraged by the actions of these Italian officials and calls on U.S. officials and Members of Congress to initiate similar investigations.

"In addition to preventing the use of extraordinary renditions, Congress must also initiate independent inquiries into current allegations of human rights abuse by U.S. military and intelligence operatives," said Meg Satterthwaite. Pointing to U.S. criminal statutes that outlaw torture and aiding and abetting in such acts, Satterthwaite added that "U.S. officials must investigate all allegations of extraordinary rendition and should prosecute acts of rendition that amount to crimes under U.S. law."

A report published by CHRGJ and the Association of the Bar of the City of New York, *Torture by Proxy: International and Domestic Law Applicable to "Extraordinary Renditions"* provides a detailed analysis of international and domestic legal standards applicable to extraordinary renditions. The report sets out the responsibilities of the U.S. government to investigate, prosecute and punish U.S. involvement in extraordinary renditions, including through criminal prosecution where appropriate. The report can be found at www.nyuhr.org.

About CHRGJ

The Center for Human Rights and Global Justice (CHRGJ) at New York University School of Law (<http://www.nyuhr.org>) focuses on issues related to "global justice," and aims to advance human rights and respect for the rule of law through cutting-edge advocacy and scholarship. The CHRGJ promotes human rights research, education and training, and encourages interdisciplinary research on emerging issues in international human rights and humanitarian law. Philip Alston is the Center's Faculty Director; Smita Narula is Executive Director; and Meg Satterthwaite is Research Director.

Note to the press: Copies of the Italian parliamentary motions can be obtained from the Center for Human Rights and Global Justice.