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HUMAN RIGHTS GROUPS APPLAUD LEGISLATION REAFFIRMING U.S. PROHIBITION ON TORTURE

WASHINGTON, D.C., June 9, 2015 — On Tuesday, June 9, 2015, Senators McCain, Feinstein, Reed, and Collins introduced legislation to make the U.S. Army Field Manual on Interrogations the standard for all U.S. government interrogations to make sure that the United States never uses torture again. Seven human rights and civil liberties organizations, including the ACLU, the Center for Victims of Torture, The Constitution Project, Human Rights First, the National Religious Campaign Against Torture, the Open Society Policy Center, and Physicians for Human Rights, announced their strong support for the legislation via the joint statement below:

We applaud Senators McCain, Feinstein, Reed and Collins for offering bipartisan legislation to ensure that the United States never uses torture again. Senator McCain's prior legislation (the Detainee Treatment Act) was approved by the Senate in 2005 with strong bipartisan support and was a positive game-changer by mandating among other things that interrogations conducted by all Department of Defense personnel had to follow the U.S. Army Field Manual on Interrogation (the Interrogation Manual). The McCain-Feinstein amendment extends and improves the Detainee Treatment Act by making the Interrogation Manual the standard for all U.S. government interrogations, and by mandating that the Manual be reviewed and updated regularly to insure that it reflects the very best evidence-based interrogation practices and complies with all U.S. legal obligations. The McCain-Feinstein amendment also requires that the International Committee of the Red Cross have access to every prisoner in U.S. custody no matter where or by whom they are held.

We believe that the CIA's "enhanced interrogation" techniques and "black sites" were clearly illegal under the law that existed on 9/11, under the 2005 Detainee Treatment Act and also under the relevant provisions of the 2006 Military Commissions Act. But the overwhelming evidence that has emerged of shocking brutality employed by the CIA notwithstanding these laws – including waterboarding, nudity, stress positions, sleep deprivation, forced rectal feeding, beatings and other abuses – demonstrates that additional protections are still essential. Had the McCain-Feinstein amendment been in place following the 9/11 attacks we believe it would have significantly bolstered other prohibitions on torture and made it far more difficult, if not impossible, for the CIA to establish and operate their torture program. Among other things, the Interrogation Manual explicitly prohibits waterboarding, forced nudity and other forms of torture employed by the CIA and it specifies that only interrogation methods that are expressly described in the Interrogation Manual are permitted. In addition, under the McCain-Feinstein legislation no prisoner could have been hidden away at CIA "black sites" without access to the Red Cross.

More can and should be done to pursue accountability for past brutal and illegal interrogations and to improve the Interrogation Manual. But the McCain-Feinstein Amendment is a vital and welcome step toward ensuring that the United States never again uses torture.

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