

Statement of Benjamin L. Cardin
On the Occasion of the International Day for the Victims of Torture
June 28, 2008

This week, we observe the International Day for the Victims of Torture.

As a member of the Helsinki Commission for many years, and now it's Co-Chairman, I have long seen the pernicious effects of torture in many places around the globe. Torture breaks the human spirit and robs men, women and children of their human dignity. Indeed, that is truly its intended purpose.

Torture is not only illegal and against international law, it is also ineffective in gaining reliable information.

Regrettably, over the past seven years, this administration has fostered the myth that torture is an effective means of gathering reliable information from detainees. It is not. Time and again, I have heard expert witnesses from the intelligence community testify before the Helsinki Commission and the Senate Judiciary Committee that coercive interrogation techniques are *not* effective, and that non-coercive methods are – as retired FBI Special Agent John Cloonan recently put it – “more effective, efficient and reliable.” And, as FBI agents observing interrogations at Guantánamo warned early on, coercive interrogation methods would taint any trials of detainees that we would hope to hold.

I was pleased by the Supreme Court's decision this month in the *Boumediene* case, in which the Court rejected, once again, the Bush Administration's detention policies and efforts to hold accused terrorists without trial or charge indefinitely for years. Part of America's strength as a nation is our respect for the rule of law and the understanding that laws and fundamental rights cannot be easily pushed aside. I agree with Justice Kennedy's majority opinion that ‘the laws and Constitution are designed to survive, and remain in force, in extraordinary times.’ It is passed time we closed that facility.

As one who has advocated for human rights, I know the damage that has been done to the moral leadership of the United States. The practices and policies of this administration have severely eroded America's ability to act as a defender for human rights. I look forward to working with a new administration to undo that damage, and I will do everything I can to ensure that torture is prohibited in law and in practice, in word and in deed.

In light of the *Boumediene* decision, I hope that the Administration will now work cooperatively with Congress, the courts, and our international allies to reexamine our current trial procedures at Guantánamo Bay.

The fight against global terrorism is a battle we will be waging for a long time – and we have to get it right. We don't make ourselves safer by torturing people. Let us make it clear that there must be zero tolerance for torture.

