

THE CONSTITUTION PROJECT



Safeguarding Liberty, Justice & the Rule of Law

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TCP Calls Transfer of Guantanamo Detainees 'Welcome News'

WASHINGTON, D.C. -- Virginia Sloan, president of The Constitution Project, a bipartisan legal watchdog group, offered the following comment in response to news that Nabil Said Hadjarab and Mutia Sadiq Ahmad Sayyab have been transferred from the U.S. detention facility at Guantanamo Bay, Cuba to Algeria:

"It is welcome news that the Obama administration has begun transferring cleared detainees from the prison at Guantanamo, both for the two men and their families, and hopefully as a prologue to swiftly transferring the remaining 84 detainees who have also been previously cleared. We see this step as evidence that the president is serious about carrying out his renewed commitment to finally close the prison at Guantanamo. Toward that end, the administration must use the full extent of its authority to continue to move detainees out, and Congress must do its part by lifting onerous restrictions that needlessly complicate such transfers."

Sloan further said that all transfers must be consistent with the United States' obligations not to send any person to another country where there are substantial grounds to believe that he or she would be in danger of torture:

"We have to be satisfied that transferred detainees will be treated humanely. Diplomatic assurances cannot be the sole or dispositive factor in that determination. We should be especially concerned when someone expresses a fear of persecution in the receiving country."

In a [comprehensive report](#) released in April, The Constitution Project's independent, blue-ribbon Task Force on Detainee Treatment urged that the detention facility at Guantanamo Bay be promptly closed. The Task Force also called for establishment of a robust process to ensure that, when transferring detainees abroad, the U.S. does not violate its legal obligations under the Convention Against Torture.

President Obama renewed an earlier pledge to work toward closing Guantanamo in a speech at the National Defense University in May. Press reports indicate both men have been cleared for transfer since 2007.

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Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project (TCP) brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time. TCP seeks to reform the nation's broken criminal justice system and to strengthen the rule of law through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.



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