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# THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

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## TCP Welcomes Shift in Position on Torture

WASHINGTON, D.C. -- TCP President Virginia Sloan offered the following comment in response to the Obama administration's recognition before a UN panel that the Convention Against Torture applies to actions by U.S. personnel in certain places outside the United States, including the detention facility at Guantanamo Bay:

"This is a welcome break from Bush era policies on torture. Our representatives in Geneva said repeatedly that torture and cruel treatment are prohibited at all times, everywhere and without exception. We agree. But, consistent with that categorical statement, our representatives should have made explicit that our treaty obligations apply anywhere that the United States exercises effective control. Clarity on this issue is particularly important given the extent to which some Bush administration lawyers preyed on perceived legal ambiguities to justify the unjustifiable."

The position expressed today is different than the one taken by the Bush administration, which had claimed that the treaty only applied inside the United States. The change occurred during a two-day review by the United Nations Committee Against Torture.

A [report](#) issued in April, 2013 by The Constitution Project's [bipartisan](#), blue-ribbon Task Force on Detainee Treatment urged the Obama administration to comply with treaty obligations under the Convention Against Torture, including by cooperating with pending investigations and lawsuits in the United States and abroad, and by enshrining robust rules and processes to ensure that the United States does not send a person to another country where there are substantial grounds to believe he or she would be tortured.

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### [About The Constitution Project](#)

*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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