



Legislation Details (With Text)

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Title:	Resolution calling upon the New York State Congressional delegation to urge the President of the United States to issue an Executive Order that would ensure humane prisoner treatment and ban torture and cruel or degrading treatment of prisoners while in custody.				
Sponsors:	Helen D. Foster, Tony Avella, Charles Barron, Gale A. Brewer, Erik Martin Dilan, Robert Jackson, Letitia James, John C. Liu, Melissa Mark-Viverito, James Sanders, Jr.				
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Res. No. 1772

Resolution calling upon the New York State Congressional delegation to urge the President of the United States to issue an Executive Order that would ensure humane prisoner treatment and ban torture and cruel or degrading treatment of prisoners while in custody.

By Council Members Foster, Avella, Barron, Brewer, Dilan, Jackson, James, Liu, Mark-Viverito, and Sanders Jr.

Whereas, Throughout history, governments have sanctioned torture as a means through which to coercively extract information from an enemy during a period of conflict; and

Whereas, Six decades ago, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights, which, among other things, declared that no person “shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment;” and

Whereas, Since the commencement of the “War on Terror,” the United States government has authorized the use of coercive interrogation techniques, including stress positions, isolation, sensory

deprivation and water torture, all of which partially or wholly violate international treaties that prohibit the use of torture; and

Whereas, Over the past seven years, the United States government used the threat of terrorism as a justification for the use of its “enhanced interrogation techniques,” joining the governments of Russia, China, Malaysia, Saudi Arabia, Uzbekistan, Algeria and Yemen, all of which used similar logic to rationalize the torture of their detainees; and

Whereas, According to Human Rights First, there have been almost 600 criminal investigations into prisoner abuse by American soldiers since the onset of the wars in Iraq and Afghanistan; and

Whereas, Since the September 11 attacks, the United States government has transferred between 100 and 150 individuals suspected of terrorism for interrogation in foreign countries where prisoner torture is commonplace; and

Whereas, Our current policies with respect to mistreatment of prisoners undermine our international standing, and threaten cooperation from our allies; and

Whereas, As the country awaits the inauguration of a new presidential administration, it is appropriate to reflect on our values as a nation, and reaffirm our commitment to laws, both national and international, that govern prisoner treatment; and

Whereas, Despite our varied backgrounds, New Yorkers, along with all Americans, are united in certain fundamental beliefs, including the inherent dignity of all persons and the right of all individuals to be treated with respect; and

Whereas, Condoning torture and alternative interrogation techniques endangers not only the lives of the detainees, but also the many United States service members and civilians living and working under despotic regimes; and

Whereas, The use of torture and the cruel, inhumane or degrading treatment of foreign prisoners is immoral, illegal, ineffective and un-American; and

Whereas, If we are to ever stake a claim to the moral high ground, it is imperative that we immediately suspend any involvement in torture, including but not limited to subjecting detainees to abusive interrogation techniques and transferring detainees to countries where torture is tolerated, and that we immediately begin to apply the principles of habeas corpus to those individuals who are suspected of international terrorism; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Congressional delegation to urge the President of the United States to issue an Executive Order that would ensure humane prisoner treatment and ban torture and cruel or degrading treatment of prisoners while in custody.

DMB
LS# 6867
12/29/08