



**Statement by Congressman Alcee L. Hastings**  
**Chairman**  
**Commission on Security and Cooperating In Europe**  
**Hearing on**  
**“Guantanamo: Implications for U.S. Human Rights Leadership”**  
*June 21, 2007*

Good morning ladies and gentlemen. I'd like to call this hearing to order. Before we get started, I would like to acknowledge that the issues we're addressing today are subjects about which many people feel passionately. Nevertheless, it is my intention to conduct this hearing in an orderly fashion, with due respect for all the witnesses present. Persons who disrupt the hearing may find themselves removed from this room, so I encourage everyone to be attentive and orderly throughout the morning.

I also want to start by welcoming to the dais the Majority Leader, my good friend Congressman Hoyer, who served as Chairman and Co-Chairman of the Helsinki Commission from 1985 through 1994. Steny's leadership on human rights issues is well-known and well respected, and I am honored to have him here with us today.

This is the Helsinki Commission's first hearing in sometime examining an issue of domestic compliance, an area which will receive warranted attention during my Chairmanship. As many people here know, in executing the Helsinki Commission's mandate, Members of this Commission are engaged in a continual dialogue with representatives of other countries – including parliamentarians – on issues of concern, with a particular focus on human rights. This is, of course, a two-way street. Just as we raise issues of concern with representatives of other countries, our colleagues raise issues with us. And no issue has been raised with us more vigorously and vocally than questions relating to the status and treatment of detainees, particularly those at the Guantánamo Bay detention facility. These concerns have been raised for several years at meetings of the OSCE Parliamentary Assembly, they have been raised at meetings of the OSCE permanent Council in Vienna, and they have been raised at the human dimension meetings of the OSCE.

I believe very strongly that our colleagues who have raised concerns with us deserve our considered response and engagement. The fact is, for *all* the 56 OSCE participating States – and not just the United States – the issue of how to safeguard human rights while effectively countering terrorism may be one of the most critical issues our countries will face for the foreseeable future.

In organizing this hearing, it is painfully difficult to un-package a whole set of issues related to our counterterrorism efforts: the offshore detention center at Guantánamo; the treatment of detainees in custody and the interrogation practices to which they may be subjected; the legal procedures for holding, trying and (potentially) convicting detainees of crimes; and the issue of extraordinary rendition to name a few. Frankly, the United States has not covered itself with glory when it comes to any of these issues.

I am, of course, mindful of the fact that many other committees of both the House and the Senate are actively engaged in oversight on many aspects of this subject. It is not our intention to duplicate those efforts. Rather, we hope to address the specific implications of Guantánamo for U.S. human rights leadership. In no small understatement, this year's State Department Country Report on Human Rights notes: "We recognize that we are writing this report at a time when our own record, and actions we have taken to respond to the terrorist attacks against us, have been questioned." Indeed.

Most importantly, we've got to figure out where we go from here. Pretty much everybody and his brother, including the Secretary of Defense and the Secretary of State, have said that Guantanamo ought to be closed down – either because they believe it never should have been opened to begin with, or because they've concluded that the stigma associated with Guantanamo is so great that the entire operation serves to undermine our alliances and strengthen the propaganda machinery of our enemies, rather than make us safer.

But the question is, where do we go from here? I am hoping our hearing today will help us answer that question.

We have before us today a panel of experts whom, I believe, can really engage in a constructive discussion on these issues. Their biographies have been circulated here, so I'm not going to re-read them now. Unfortunately, although we sent a letter to Secretary Gates on May 15 inviting the Department of Defense to send a witness to this hearing, the Department has declined the opportunity to have its views heard. I am frankly quite disappointed by the message this sends. I know some tough questions may come up today, but it seems to me that there is nothing to be gained by ducking them.

I would like, in any case, to warmly welcome Senator Anne-Marie Lizin, the President of the Belgian Senate. When I served as President of the OSCE Parliamentary Assembly, I appointed Senator Lizin to serve a Special Representative on the issue of Guantanamo, and I did so because of the extraordinary concern voiced in that body regarding the status and treatment of detainees there. Senator Lizin has shown remarkable dedication and initiative in addressing the issues within her mandate, and I am delighted that she is with us today as we prepare for the Assembly's Annual Session to be held in Kyiv early next month.

Before calling on my colleagues for their opening statements, let me just note the order in which we will receive testimony this morning. Our first witness will be the Department of State's Legal Advisor, Mr. John Bellinger, followed by Senator Lizin. We will then hear from an additional panel of representatives: Mr. Tom Malinowsky from Human Rights Watch and Mr. Gabor Rona from Human Rights First.