



United States Mission to the OSCE

Right of Reply – Working Session 8 Rule of Law I: Democratic law-making: independence of the judiciary; right of a fair trial

As delivered by Ambassador Michael Kozak,
Head of Delegation
OSCE Human Dimension Implementation Meeting
Warsaw, September 23, 2016

With regard to Guantanamo Bay, which of course is not a secret, President Obama has repeatedly made clear since taking office that his Administration is determined to close the detention facility and is taking all possible steps to reduce the detainee population. However, we note that the United States does not transfer any individual in U.S. custody – wherever they are held – to a foreign country if it is more likely than not that the person would be tortured.

With regard to prison conditions in the United States, we acknowledge ongoing challenges that deserve our attention. Our constitution recognizes that individuals who are incarcerated have the right to reasonable protection from violence and to be provided basic necessities of life. The Department of Justice works to address unconstitutional conditions in prisons, jails and juvenile facilities across the nation, including by appeal to the Courts to ensure that basic rights are respected.