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PRESS RELEASE

MEPs examine the case of six prisoners taken from Bosnia to Guantanamo

The Committee investigating alleged illegal CIA activities in EU countries examined on Tuesday the case of six Bosnian residents who were handed to the US secret services in 2002 and taken to Guantanamo, where they still remain imprisoned without charge. Stephen Oleskey, the American lawyer representing them, told MEPs that at least one of the planes used for their transport to Guantanamo originally departed from Germany.

In January 2002, Bosnian Federation police removed six Bosnian residents of Algerian origin from a Sarajevo prison and handed them over to US custody - a day after the Bosnian Supreme Court had ordered their release and against a further order by the Bosnia Human Rights Chamber that four of the men should not be transferred to the US. Their Bosnian citizenship and/or residency were revoked because they were said to be suspects in an alleged plot to attack the US and UK embassies in Sarajevo, said Mr Oleskey.

The lawyer accused US and Bosnian authorities of violating Bosnian law and the EU Convention on Human Rights. *"The Bosnian government was told by US officials that if these six people were not arrested, the US would withdraw its support for Bosnia. As no evidence was provided on the need for such detentions, the Bosnian Supreme Court ordered them to be released. But they were deported to Guantanamo illegally,"* he said. *"This was not an extradition nor a deportation but rather an unlawful transfer without justification, using military force."*

US base in Ramstein

Mr Oleskey said at least one of the planes used for their transport first flew from the US military base in Ramstein (Germany) to Tuzla in Bosnia. On their way to Guantanamo, the planes stopped at a US military base in Turkey, where 28 other prisoners from Afghanistan were picked up. Asked by rapporteur Claudio Fava (PES, IT) on who from the Bosnian authorities signed the order for transfer of the prisoners, Mr Oleskey said there was no way to find out, but he was convinced that *"the decision was made by the highest level officials in Bosnian government under the threat from the US to withdraw their support"*.

"Have you gathered any knowledge of the possible involvement of EU Member States encouraging Bosnian Government to follow the Court order and its commitment to respect United Nations Human Rights Conventions?", asked Sarah Ludford (ALDE, UK). Mr Oleskey replied: *"I do not know what individual EU governments could have said to the Bosnian government about this 'diplomatic kidnapping', as I would describe it."*

Mr Oleskey said this case clearly concerns the EU since it involved the use of airports located in a Member State (Germany), an EU candidate country (Turkey) and a potential EU candidate country (Bosnia). Asked by Patrick Gaubert (EPP-ED, FR) whether these countries actively collaborated in the transfer of detainees, he said it was for the Committee to determine their responsibility. *"What is certain is that American bases were used as a staging point to pick up prisoners in Europe and transfer them to Guantanamo"*, he said and urged the Committee to *"speak through the rule of law and ask Bosnia to rectify the situation before it can be considered a serious EU candidate."*

The Committee also heard from Michele Picard, former president of the Bosnian Human Rights Chamber, who said the international Community and Bosnian high officials were surely aware of the case "*but did not know all the legal details, since the situation then was not clear even for us: were we dealing with an expulsion or repatriation? Would they be sent to Algeria or to the US?*" Srdjan Dizdarevic, president of the Helsinki Committee for Human Rights in Bosnia, said he spoke "*as an independent human rights activist*" and that the main concern of his organisation was "*the lack of respect of the Supreme Court and HR Chamber orders by the Bosnian government.*"

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