



Brussels, 12/06/06

## PRESS RELEASE

### MEPs: CIA "*directly responsible*" for abduction, detention and extraordinary renditions in Europe

In a vote held on Monday the European Parliament's Temporary Committee on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners (TDIP) reproved European states for their inactivity or complicity in the face of CIA-run extraordinary renditions. The report was approved by a majority of 25 members against 14 with 7 MEPs abstaining.

The CIA, noted the Committee in its interim report, has been "*directly responsible*" on several occasions for the extraordinary rendition, "*illegal seizure, removal, abduction and detention of terrorist suspects on the territory of Member States, accession and candidate countries*" (compromise AM 2) - all of which constitute violations of fundamental rights under international law. As MEPs determined, the CIA - using aircraft hired by front companies - has made use of such practices for the illegal transfer of terrorist suspects to countries which frequently use torture during interrogations. With that in mind, MEPs call for extraordinary renditions to be "*clearly prohibited*" in international law (AM 171 as orally amended).

Member States "*may be held liable*" for failure to comply with the European Convention of Human Rights, added MEPs. Under the case law of the European Court of Justice, EU countries have the positive obligation to prevent human rights violations on their territory (AM 112).

#### Next steps

Having "*shown the need to carry out further checks*" - reads the report - the Temporary Committee aims to continue its work for the remainder of its twelve-month term (para. 18). For the second semester, MEPs propose to invite the Secretary-General of NATO to a hearing to clarify the possible involvement of SFOR and KFOR forces in the illegal detention of the 6 Bosnians who still remain in Guantanamo (AM 111). To this regard the text calls again for the closure of Guantanamo, asking Member States to "*take a proactive role*" in finding a solution for the detainees (AM 183).

Although the interim report -- unlike that of the Council of Europe -- makes no explicit mention of alleged detention centres in Poland and Romania, TDIP Chairman Carlos Coelho (EPP-ED, PT) did remark before that "*this in fact will be the priority of our committee for the next semester.*" The text of the report itself stresses the need to "*ascertain whether there is any evidence to confirm that secret prisons have been operating in some European countries*" (AM 154 as orally amended).

#### European governments taken to task

It is "*implausible*", say MEPs, "*that certain European governments were not aware of the activities linked to extraordinary rendition taking place on their territory*". (comp. AM 6). Such involvement or complicity, they argue, was likely on the part of Italian authorities in the 2003 abduction of Egyptian cleric Abu Omar by CIA agents in Milan;

on the part of Bosnian authorities in the abduction and transfer of six Bosnian nationals or residents of Algerian origin to Guantanamo Bay (comp. AM 7); and on the part of Swedish authorities, who expelled Egyptian nationals Mohammed Al Zary and Ahmed Agiza, handing them over to CIA agents for transfer to Egypt (AM 99 and 100). Likewise, the Committee "*deplores the reluctance of the FYROM authorities to confirm that [German national Khaled] El-Masri was in Skopje and probably being held there before his rendition to Afghanistan by CIA agents*" (AM 158).

National governments are also criticized for their solicitation of "*diplomatic assurances*" against torture - a practice the Committee labels as "*unacceptable*" and contradictory to EU policy guidelines on torture and other cruel, inhuman or degrading treatment or punishment (comp. AM 3, AM 67). The Committee calls on EU countries to reject such assurances in the future.

### **EU-level action necessary**

In several EU countries, reads the report, rules governing the activities of secret services seem "*inadequate*". As members point out, activities of foreign secret services on Member States' territory should be governed by more effective controls; to that effect, "*rules of cooperation should be established at EU level.*" (AM. 36). Intelligence co-operation between EU countries and their allies, the Committee argued, "*should not be confused with the abandonment of sovereignty over European territory and airspace*" (AM 43).

Citing "*repeated violations*" of the Chicago Convention on International Civil Aviation during flights carried out by the CIA in Europe - and underlining that no European country has made consistent efforts to ensure that civilian aircraft are used for purposes compatible with international human rights (comp. AM 10) - the TDIP calls on the Commission to harmonise national laws on the use of national airspace and airports. (para. 16) Current European legislation, concludes the Committee, is "*totally inadequate*".

The report will be voted on in plenary during the July 3-6 session in Strasbourg.

Press enquiries:

**María Andrés Marín** - tel. (32-2) 28 44299 // **Piotr Zalewski** - tel (32-2) 28 32232

Mobile: +32 (0) 498 98 35 90

e-mail: [libe-press@europarl.eu.int](mailto:libe-press@europarl.eu.int).