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PRESS RELEASE

MEPs debate alleged CIA illegal detention of prisoners

Ahead of the vote on Thursday 6 July at midday, Parliament debated the interim report on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners. MEPs expressed differing views on the allegations with many claiming that the CIA had carried out such renditions and other MEPs saying there was little or no evidence.

The committee chairman Carlos Coelho stressed the fact that this is only an interim report: *"you cannot say there are no conclusions, this will be the aim of the final report"*. Coelho recalled that the committee heard of more than 70 people in more than 50 hours of hearings, sent two delegations abroad and analysed thousands of documents. *"The report, together with some fundamental amendments tabled by the EPP, will contribute to get a balanced and fair text, because we want it to be rigorous and not contaminated with political propaganda"*.

Introducing the debate, rapporteur Giovanni Claudio Fava (PES, IT) told the House that it was being asked to contribute to establishing the truth about abuses committed in the name of the fight against terrorism. He went on to say *"Extraordinary renditions have been a fact - not an opinion - a fact that has even been admitted by the US Department of State"*. Moreover, *"some EU Member States were complicit, some covered illegal operations, some just turned their backs."* In conclusion, he asked the House to authorise his committee to continue its work.

Speaking for the Presidency of the Council, Finland's Minister for Foreign Trade and Development, Paula Lehtomäki said the treaties did not give the EU a power to deal with these issues, since the monitoring of intelligence services was a matter for the Member States. Nevertheless, she said the Council had not been passive, pointing to debates in November 2005 and a letter written by the then UK Presidency to US Secretary of State Condoleezza Rice. Ms Lehtomäki added that dialogue with the United States administration on human rights issues was frequent, with both sides agreeing that international law must be respected. *"In the Presidency, Finland will continue to keep human rights issues on the agenda of our dialogue with the US,"* she concluded.

Franco Frattini, Vice-President of the European Commission responsible for Justice, Freedom and Security stated that the Commission had worked closely with the Temporary Committee and had requested data from Euro-control which turned out to be a key source in the report. The Commission had also provided satellite images when requested. On three separate occasions, Mr Frattini said that he had called on the Council and the Member States with the European Parliament Temporary Committee and that those Member States that had not carried out their own investigations should do so. The Commission, he concluded, would also examine the possibility of defining at EU level the rules on non-commercial flights using state aircraft.

Critical to the US

For the EPP-ED group, Jas Gawronski (IT) described the interim report as *"very tendentious"* and *"taking into account only viewpoints that were critical of the US"*. Two examples, until now the committee had not wanted to include two statements by Gijs de Vries and Javier Solana because *"they said things the committee didn't like"*. They had *"said they were not aware of any violations of the law by any of the Member States of the European Union in cooperation with the CIA"*. In addition, an expert from Human Rights Watch, which had said *"we have suspicions but no*

proof". If the US administration had made mistakes, he argued, that was because it was doing something. In short, his group was "*decisively critical of this report and very disappointed too*".

On behalf of the Socialist group, Wolfgang Kreissl-Dörfler (DE) argued that "*the fight against terrorism should not be waged using the same weapons as the terrorists*" and that "*the end does not justify the means*". "*It has nothing to do with anti-Americanism*", he stressed. The question to be answered was "*What is a secret service like the CIA entitled to do when it comes to even a friendly country. How are they entitled to act?*". He added: "*If there is suspicion of someone being a terrorist, you have to subject them to the rule of law.*" In conclusion, he said "*we must demonstrate that the EU is not prepared to give up its freedoms in the name of the fight against terrorism.*"

For the Liberals, Sarah Ludford (UK) emphasised that some Member States had not implemented EU anti-terror legislation five years after it had been passed. Some did not even have a definition of terrorism. The result was that terrorists can escape conviction and imprisonment. So "*the EU has allowed a situation to develop where we can't prosecute terrorists but we can persecute terrorist suspects*". "*What credibility*", she went on, "*does this give the EU at home or abroad either for effectively combating terrorism or for upholding human rights?*". According to her it was "*implausible*" for governments not to have known about these matters and the burden of proof was now being shifted on to them. "*This conspiracy of silence must stop*".

Speaking for the Greens/EFA group, Cem Özdemir (DE) said the practices at the centre of the investigation skirted international law and in particular the right to due procedure. He said the "*outsourcing*" of torture made it difficult to estimate the scale of infringements. He mentioned the Chicago convention on air transport, under which the US and some EU governments had argued that the flights were private – the EU states, he said, were ignoring their right to investigate suspected criminal action under that same convention. "*When it comes to torture, every state should take legal steps against those responsible. Italy is going along with that commitment, we should respect that and ask others to follow their example.*"

Giusto Catania (IT), for the GUE/NGL group, said that the committee's work had shown that extraordinary renditions were part of what he called the mistaken strategy of combating terrorism through pre-emptive war and the scaling back of the rule of law: "*This has increased and radicalised terrorism and encouraged the terrorist's goals.*" More than half the detainees at Guantanamo Bay had been abducted in Afghanistan, he said, which showed that NATO and European countries had been used as staging posts. He said statements by John Bellinger and Condoleezza Rice showed that, "*European governments were complicit in CIA activities in Europe.*"

Konrad Szymanski (PL) spoke for the UEN group. He said he wanted to soften the language of the report, which spoke of certainty and fact where there was, in his view, room for doubts. "*Until we know the scale of the phenomenon, there is nothing which allows us to say that there has been a serious violation of human rights.*" He spoke of the gap of interpretation between Europe, which wanted to treat terrorists as criminals to be dealt with in the ordinary courts, while the Americans act more in line with the laws of war, "*which I think is more appropriate*", but it does create a legal vacuum. He said international law needed to be enhanced to deal with the current situation.

Mirosław Piotrowski (PL), for the IND/DEM group, said the temporary committee had failed to fulfil its task. "*There is not even one small piece of information that was previously unknown, just a repetition of unfounded media information. There is nothing to say we will get more facts by prolonging the work, so why waste taxpayers' money?*" He said the process was driven by political and propaganda motives, by socialists and liberals who would take any opportunity to attack the US and its allies.

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