



Extraordinary renditions: EU Member states are also responsible, MEPs say

As recent developments confirm that EU governments have been involved in extraordinary renditions, EU Member states bear a share of moral responsibility for detentions in Guantánamo, the European Parliament says in a resolution adopted with 334 votes in favour, 247 against and 86 abstentions. The resolution makes reference to statements by the British government on the matter. The text was tabled by the PES, ALDE, Greens/EFA and GUE/NGL groups.

British government

The resolution recalls the statements by the UK Foreign Secretary on two US extraordinary rendition flights carrying two prisoners that landed on UK territory in 2002 and the compiling of a list of suspect flights that would be sent to US authorities to request specific assurances that they had not been used for rendition, as well as the statements by the Prime Minister in this regard; the referral by the UK Home Secretary to the Attorney General of the question of possible 'criminal wrongdoing' by MI5 and the CIA in relation to Binyam Mohamed's treatment.

The resolution also recalls the High Court's ruling of 5 February 2009 that it was unable to order the disclosure of information about the alleged torture of Binyam Mohamed because the UK Foreign Secretary asserted that the UK was threatened by the US with the blocking of intelligence-sharing about terrorism, and the legal challenge to the ruling based on doubts about the veracity of that assertion.

Lack of action by Member states

MEPs underline that "subsequent events have confirmed that several EU Member states had been involved in, or had cooperated actively or passively with the US authorities" in illegal activities "as proven by some recently disclosed information concerning governments' authorisations of US requests for over-flight and by government information on secret prisons". Thus, "EU Member states bear a particular share of political, moral and legal responsibility for the transportation and detention of those imprisoned in Guantánamo and in secret detention facilities".

Members denounce the lack of action taken so far by Member States and the Council to shed light on the extraordinary renditions programme and to implement Parliament's recommendations. They deplore the lack of satisfactory answers given by the Council to Parliament during the plenary debate on 3 February. They call on the EU institutions and Member States to fully implement the recommendations made by Parliament in its 2007 report and to assist in ascertaining the truth by opening inquiries or collaborating with the competent bodies. Responsibility for secret detention centres, including Guantánamo, and the extraordinary rendition programme should be established.

Press release

Members say those kidnapped in some Member states under the extraordinary rendition programme have been flown to Guantánamo or to other states by the US authorities on military or CIA flights, which have often flown over EU territory and in some cases have also made stopovers in certain EU member states. Those taken to third countries have undergone torture in local prisons, they say.

Officials of some Member states have had access to prisoners in Guantánamo or in other detention centres and interrogated them, thus legitimating the existence of these facilities.

Among developments which took place since the adoption of the EP temporary committee report drafted by Claudio Fava (PSE, IT) in February 2007, Members remind of decisions and statements by officials or press information on the UK, Poland, and Spain, confirming that EU Member states have been involved in extraordinary renditions.

MEPs note that state secrecy requirements have been imposed, in some Member states, on information relevant to the inquiries into rendition, as in Italy with the Abu Omar case or on the alleged torture of UK-resident Binyam Mohamed because of threats by the US to block intelligence-sharing about terrorism with the UK.

President Obama's executive orders "a big step forward", but ambiguities persist

Although Members welcome the executive orders by US President Barack Obama (closing the Guantánamo detention centre, halting the proceedings of military commissions and ending the use of torture and shutting secret prisons abroad), as "a big step forward", they "do not seem to fully address the issues of secret detention and abduction or the use of torture", they say, as "some ambiguities persist as to the limited maintenance of rendition schemes and of secret detention facilities".

They also recall that extraordinary renditions and secret detention are contrary to international human rights law, the UN convention against torture, the European convention on Human rights and the Charter of Fundamental Rights.

On 18 January 2006, The European Parliament set a temporary committee on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners, chaired by MEP Carlos Coelho (EPP-ED, PT).

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