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## **MOTION FOR A RESOLUTION**

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Simon Coveney

on behalf of the PPE-DE Group

on Guantánamo

**European Parliament resolution on Guantanamo**

*The European Parliament,*

- having regard to its previous resolutions on the Guantanamo detainees' rights to a fair trial and, in particular, its resolutions adopted in February 2006 and October 2004<sup>1</sup>,
  - having regard to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, adopted by the UN General Assembly on 10 December 1984,
  - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas both the United States of America and the Member States of the EU have repeatedly reaffirmed their commitment to the democratic values which are the foundation of both the transatlantic community and solidarity, namely freedom, democracy, the rule of law and human rights,
- B. whereas the US military operation in Afghanistan was a consequence of the terrorist attacks of 11 September 2001 and whereas this operation enjoyed widespread support among the international community,
- C. whereas, as a result of the Afghanistan war and under the suspicion of terrorism, hundreds of prisoners are still being held in US custody in locations such as Guantánamo Bay,
- D. whereas, in February 2002, the US President, George W. Bush, ordered that prisoners held at Guantánamo be treated 'humanely and, to the extent appropriate with military necessity, in a manner consistent with' the Geneva Conventions,
- E. concerned by recent news reporting that the US military are intending to extend military executions rules to the condemned terror suspects at the Guantánamo Bay detention facility,
- F. noting with satisfaction that some detainees have been given the right to have access to private conferences with independent lawyers,
- G. whereas EU institutions, Member States and public opinion are concerned about conditions at the Guantánamo Bay Naval Base and have called for the closing of this detention camp and for the prisoners to be treated in accordance with the rule of law, regardless of their nationality or origin,

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<sup>1</sup> P5-TA-PROV(2004)0168

1. Stresses that contemporary terrorism and, namely global terrorism directed against Western democracies and their peoples, provoking massive indiscriminate civilian victims by brutal, murderous and cowardly attacks, currently constitutes the most violent threat to basic and fundamental human rights our societies are faced with;
2. Reiterates its indignation and outrage at all mass terrorist attacks, in particular those of 11 September 2001, 11 March 2004 and 7 July 2005, and its solidarity with the victims of such attacks and sympathy for the pain and suffering of their families, friends and relatives;
3. Reaffirms that, in the face of this terrible modern threat, the prime duty of Western governments is to protect our citizens with resolve, to fight terrorism firmly and tenaciously and to identify and dismantle any terrorist networks;
4. Reiterates its belief, nonetheless, that the fight against terrorism cannot be waged at the expense of established basic, shared values such as respect for human rights and the rule of law;
5. Insists that every prisoner should be treated in accordance with international humanitarian law and should be tried without delay in a fair and public hearing by a competent, independent and impartial tribunal, thus exerting and showing the very values we stand for;
6. Reiterates its recommendations to the Council, adopted in March 2004, as regards the legal status of detainees held at Guantánamo Bay;
7. Calls on the US administration to close the Guantánamo Bay detention facility, as proposed by the German Chancellor, Angela Merkel;
8. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the CFSP, the parliaments of the Member States and the President and Congress of the United States of America.