

ORAL QUESTION WITH DEBATE O-0166/09

pursuant to Rule 115 of the Rules of Procedure

by Raül Romeva i Rueda, Heidi Hautala, Jean Lambert, H el ene Flautre, Franziska Keller and Jan Philipp Albrecht, on behalf of the Verts/ALE Group
to the Commission

Subject: New developments concerning the CIA extraordinary renditions programme and secret prisons on EU soil

In November 2009 media reports revealed that a secret prison was operated in Lithuania¹ from 2004 to 2005 where torture was used in the interrogation of suspected al-Qaeda terrorists. The Lithuanian Parliament has opened a third investigation. European Parliament and Council of Europe reports had also highlighted the fact that a secret NATO agreement of 4 October 2001 could have been used by the US authorities to cover up CIA activities on European soil. In Poland, prosecutors have opened an investigation into a prison allegedly sited near a former military air base². In November 2009 an Italian court convicted 23 US agents in absentia and two Italian intelligence officials of kidnapping Abu Omar in Milan and flying him to Egypt, where he was tortured. Successive governments have made parts of the evidence subject to the laws on State secrets³. One of the convicted CIA agents admitted that decisions were taken in Washington⁴. In the UK, the government has repeatedly opposed the release of evidence demonstrating that the UK intelligence services interrogated UK resident Binyam Mohamed and knew about his inhuman and degrading treatment and torture by CIA agents. On 19 November 2009 the UK High Court dismissed the government applications⁵. Media reports have also revealed that in October 2009 a US Gulfstream jet linked to the CIA was met by two SAS helicopters in a secret operation at Birmingham International Airport⁶.

Europe has been implicated in serious violations of international law and human rights conventions, and the Commission has failed to provide clarification and guarantee accountability, severely undermining Europe's moral authority in its external policies.

In the light of the entry into force of the Lisbon Treaty, and, consequently, the binding nature of the Charter on Fundamental Rights of the European Union, and of the forthcoming accession of the EU to the European Convention on Human Rights, the Commission is legally obliged to shed the light on alleged violations of fundamental rights on EU soil. Can the Commission provide a detailed account of what has been done so far to clarify the allegations? Can the Commission provide full account of what happened at the meeting of 4 October 2001 with NATO, of the substance of the agreement with NATO and of how the illegal actions by Member States have been investigated? What will it do to ensure that the EU does not sacrifice democracy and fundamental rights in the fight against terrorism and in its cooperation with third States, in particular the USA? How and when will the Commission raise these issues with the Member States and the USA?

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Deadline for reply: 22.12.2009

¹ <http://abcnews.go.com/Blotter/cia-secret-prison-found/story?id=9115978>;
http://www.boston.com/news/world/europe/articles/2009/11/20/lithuanian_officials_open_new_inquiry_into_secret_cia_prisons

² <http://www.google.com/hostednews/afp/article/ALeqM5iNvDcuqgrilgGGgpnADjUyTJB18w>

³ <http://www.statewatch.org/rendition/rendition.html>

⁴ <http://abcnews.go.com/Blotter/exclusive-convicted-cia-spy-broke-law/story?id=8995107>

⁵ <http://www.guardian.co.uk/world/2009/nov/19/court-rejects-miliband-cia-request>

⁶ <http://www.statewatch.org/rendition/rendition.html>