

**Question for oral answer O-000079/2013/rev.1
to the Council**

Rule 115

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Elmar Brok

on behalf of the Committee on Foreign Affairs

Subject: Follow-up to Parliament's resolution on 'alleged transportation and illegal detention of prisoners in European countries by the CIA: follow-up of the EP TDIP Committee report'

In paragraph 56 of its resolution of 11 September 2012 on 'alleged transportation and illegal detention of prisoners in European countries by the CIA: follow-up of the EP TDIP Committee report'¹, Parliament 'instructs its Committee on Civil Liberties, Justice and Home Affairs, together with the Subcommittee on Human Rights, to address Parliament in plenary on the matter a year after the adoption of this resolution' and 'considers it essential now to assess the extent to which the recommendations adopted by Parliament have been followed and, where they have not been followed, to analyse why this is the case'.

Given the developments since the adoption of the report and in view of this mandate, the LIBE Committee would like the Council to answer the following questions.

1. Which recommendations have been followed and implemented by the Council?

In particular:

- has the Council apologised for breaching the principle of loyal cooperation between the Union institutions, as enshrined in the Treaties, when it incorrectly attempted to persuade Parliament to accept deliberately shortened versions of the minutes of the meetings of the Council's working parties on public international law (COJUR) and transatlantic relations (COTRA) with senior North American officials?
 - did the Council issue a declaration acknowledging Member States' involvement in the CIA programme and the difficulties encountered by Member States in the context of inquiries?
 - did the Council give its full support to the truth-finding and accountability processes in the Member States by formally addressing the issue at Justice and Home Affairs meetings, sharing all information, providing assistance in response to inquiries and, in particular, acceding to requests for access to documents?
 - did the Council hold hearings with relevant EU security agencies to clarify their knowledge of Member States' involvement in the CIA programme and the EU's response?
 - did the Council propose safeguards so as to guarantee respect for human rights in intelligence-sharing, and a strict delimitation of roles between intelligence and law-enforcement activities so that intelligence agencies are not permitted to assume powers of arrest and detention?
2. What measures does the Council intend to take in order to improve follow-up in respect of these recommendations?

Tabled: 2.7.2013

Forwarded: 3.7.2013

Deadline for reply: 24.7.2013

¹ Texts adopted, P7_TA(2012)0309.