

WRITTEN QUESTION P-4826/05
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to the Council

Subject: CIA activities in Europe

The Washington Post reported on 2 November 2005 that secret prisons are being used by the CIA to detain terrorist suspects, including in democratic countries of Eastern Europe, in contravention of human rights. Investigations by the Council of Europe and reports by the organisation Human Rights Watch suggest that at least 31 aircraft believed to be operated on behalf of the CIA may have made stops in, or flown over, European countries when carrying out illegal operations to transport prisoners. The flight routes suggest that secret CIA prisons may be located, or may have been located, in Poland, an EU Member State, and Romania, an applicant country for accession. Furthermore, the CIA conceded at the beginning of March 2005 that since 11 September 2001 it has on a number of occasions handed over terrorist suspects to countries where torture is practised. Cases of abduction have been documented in which EU citizens or persons from EU countries have been taken by the CIA to prisons in third countries where they have allegedly been tortured.

What steps is the Council taking in the face of this possible violation of fundamental rules of law, the ECHR and the common values enshrined in Article 6 of the Treaty on European Union, in order to shed more light on these allegations, which have been public for some time? What does the Council know about the CIA flights, the whereabouts of prisoners transported, and in particular whether the latter have been flown to prisons where they have been subjected to inhumane treatment? How far are Member States assisting the Council of Europe with its investigations? Is the rapporteur for the Parliamentary Assembly of the Council of Europe being given access to relevant Eurocontrol and European Union Satellite Centre data? What is being done by the Member States concerned to ensure that national public prosecutors are not being prevented from carrying out their investigations by disinformation on the part of the US authorities? Does the Council intend to follow the example of the Danish Foreign Affairs Ministry in calling for CIA flights that are incompatible with international conventions to be refused landing or fly-over rights? What steps is the Council taking to monitor relevant transport operations, above all flights, more effectively, in order to ensure that European/national authorities are not an accessory to transport operations whose purpose is contrary to international law? What legal instruments can the Council use, and does it intend to use, in order to put a stop to such abductions and transport? What steps is the Council taking within the framework of the common external policy vis-à-vis the US Government in order to seek swift, complete clarification regarding all of the allegations and to obtain suitable guarantees that in future human rights, international law, the legal principles on which the Union is founded and Member States' sovereignty will be fully respected?