

Guantánamo

European Parliament resolution on Guantánamo

The European Parliament,

- having regard to its previous resolutions on the rights of detainees at Guantánamo to a fair trial, and, in particular, to its resolution of 7 February 2002 on the detainees in Guantánamo Bay¹, and its recommendation to the Council of 10 March 2004 on the Guantánamo detainees' right to a fair trial²,
 - having regard to its resolution of 28 April 2005 on the human rights situation in the world in 2004³,
 - having regard to its resolution of 18 January 2006 on Afghanistan⁴,
 - having regard to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted by the United Nations General Assembly on 10 December 1984,
 - having regard to the EU guidelines on the fight against torture and on the death penalty, and its guidelines on human rights dialogues with third countries adopted in 2001,
 - having regard to the Defence Authorization Bill, signed by President Bush on 30 December 2005 containing the McCain amendment, which outlaws the use of torture, as well as the Graham-Levin amendment, which establishes – according to the interpretation ('signing statement') of the White House – that aliens held at Guantánamo have no right to have their habeas corpus cases heard in the US civil courts,
 - having regard to the new United States Army Regulation 190-55, due to come into force on 17 February 2006, which allows prisoners condemned to death by courts-martial to be executed at all detention centres, including Guantánamo Bay,
 - having regard to the report drawn up by five experts from the UN Commission on Human Rights on the Guantánamo Bay detention centre,
 - having regard to the recent call by the German Chancellor for the closure of the Guantánamo Bay detention centre,
 - having regard to Rule 115(5) of its Rules of Procedure,
1. Calls on the US Administration to close the Guantánamo Bay detention facility and insists that every prisoner should be treated in accordance with international humanitarian law and tried without delay in a fair and public hearing by a competent, independent,

¹ OJ C 284 E, 21.11.2002, p. 353.

² OJ C 102 E, 28.4.2004, p. 640.

³ *Texts Adopted*, P6_TA(2005)0150.

⁴ *Texts Adopted*, P6_TA(2006)0017.

impartial tribunal;

2. Condemns all forms of torture and ill-treatment and reiterates the need to comply with international law;
3. Stresses that contemporary terrorism, particularly global terrorism directed against democracies and their populations, poses a threat to the basic and fundamental human rights our societies enjoy;
4. Reiterates that the fight against terrorism, which is one of the priorities of the Union and a key aspect of its external action, can only be successfully pursued if human rights and civil liberties are fully respected;
5. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the CFSP, the parliaments of the Member States, the United Nations Secretary-General and the President and Congress of the United States of America.