

AMNESTY INTERNATIONAL

Public Statement

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Renditions in the EU: Fact – not fiction

Prosecution authorities in EU countries are issuing arrest warrants and asking for the indictment of individuals suspected of involvement in the US led programme of “rendition”; an unlawful practice in which numerous men have been illegally detained and secretly flown to third countries, where they have suffered additional crimes including torture and enforced disappearance. It is now time for the European Union and European governments to admit that renditions in the EU are fact - not fiction, and to do all in their power to hold to account those responsible for human rights violations in the context of renditions.

With just over a week left until the European Parliament votes on the *Report on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners*, Amnesty International asks MEPs to send an unequivocal signal: that EU governments must acknowledge their responsibility in the violations that have taken place and conduct independent and impartial investigations domestically.

Khaled el-Masri – arrest warrants issued

On 31 January, 13 arrest warrants were issued for suspected CIA operatives, reportedly involved in the abduction and rendition of Khaled el-Masri, a German citizen who was abducted from Macedonia in December 2003 and eventually flown to Afghanistan. There he was held incommunicado in solitary confinement for four months and allegedly subjected to ill-treatment during interrogation. Amnesty International – which first wrote to the CIA and other US authorities in August 2004 raising Khaled el-Masri’s case, but without response – welcomes this move towards holding accountable those suspected of involvement in Khaled el-Masri’s abduction and rendition. The organization calls on the US and German authorities to co-operate fully with investigations by German prosecutors into the involvement of US and German officials in the rendition of Khaled el-Masri.

Abu Omar – indictment requested – extradition requests issued

In December, Italian prosecutors asked for the indictment of 26 US citizens, 25 of whom are suspected CIA operatives reportedly involved in the abduction and rendition of Abu Omar, a man who was abducted from Milan in 2003 and flown to Egypt, where he remains in detention. Abu Omar alleges that he has been tortured in detention in Egypt, including being hung upside down and having electric shocks applied to his testicles.

Prosecutors also asked to indict nine Italian citizens, primarily operatives of the Italian security service, SISMI. In July 2006, prosecutors also issued extradition requests for 26 US citizens; however, the Italian government has failed to forward these requests to the US authorities. While Amnesty International welcomes developments towards holding both Italian and non-Italian citizens accountable for the

abduction and rendition of Abu Omar, it calls on the Italian authorities to forward the extradition requests for the 26 US citizens. The organization also calls on the US and Italian authorities to co-operate fully with investigations by Italian prosecutors into the rendition of Abu Omar.

European Union Member States cannot continue to deny their responsibility. They must ensure that victims of renditions are provided prompt and adequate reparation - including restitution, rehabilitation and fair and adequate financial compensation. All Member States must put in place measures to prevent renditions taking place in the future.

Amnesty International therefore calls on EU Member States to:

- Not transfer anyone to the custody of the agents of another state, or facilitate such transfers, unless the transfer is carried out under judicial supervision and in line with international standards;
- Ensure that no one is arbitrarily detained, secretly or otherwise, on their territory or any territory under their jurisdiction;
- Initiate and continue judicial and parliamentary investigations and co-operate fully with them, including by providing them with access to all relevant people and information;
- Refuse access to airspace and airfields of aircraft operators whose planes have been implicated in rendition flights if detailed information is not provided as to the status, destination and legal basis of each passenger;
- Ensure that the fate and whereabouts of all victims of secret detention and rendition are established and provide them with prompt and adequate reparation.

Amnesty International calls on the European Council to:

- Affirm unequivocally that the practice of "rendition" is unacceptable and violates human rights, as well as the founding values of the European Union;
- Encourage the US authorities to disclose the location and identities of all persons who have been or are detained as part of the renditions programme and to cooperate fully with all investigations into renditions.

Amnesty International asks the European Parliament to:

- Send an unequivocal signal to EU governments by unanimously adopting the report of the Temporary Committee on renditions in Europe on 14 February.