

AMNESTY INTERNATIONAL

Public Statement

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Council of Europe: Amnesty International calls for action against renditions

Europe's political leaders must take a stand against rendition and secret detention, wherever they occur. The facts have been established over and over again, yet the decision-making bodies of the Council of Europe and the European Union have yet to publicly condemn the US's secret rendition and detention programme, much less demonstrate any commitment to ending Europe's complicity in the human rights violations arising from illegal counter-terrorism practices. While there have been credible efforts to investigate and ensure accountability for past violations, these have happened largely in spite of governments, rather than with their full support.

Continued denial in the face of mounting evidence undermines the credibility of European governments and officials. Their silence, and failure to take action within the Council of Europe framework, is a betrayal of its founding aims: the protection of human rights, the rule of law and pluralist democracy.

States are obliged to take lawful measures to protect people from terrorist attacks. Rendition and secret detention undermine such measures by restricting the ability of states to bring to justice those responsible for acts of terrorism. Supporting activities designed to evade public scrutiny weakens the rule of law, which is the foundation for genuine security. It betrays not only the values on which Europe rests, but the victims of terrorism themselves.

The evidence concerning CIA flights and secret detention centres in Poland and Romania -- revealed in the report adopted by the Parliamentary Assembly of the Council of Europe's Committee on Legal Affairs and Human Rights on 8 June 2007 -- must be fully and transparently addressed not only by these two governments, but by all member states. The denials issued this week by these two governments ring hollow in the absence of independent, impartial and thorough investigations into the new information set out in the report.

Amnesty International urges the members of the Council of Europe's Parliamentary Assembly, Committee of Ministers and the 47 member states to take concrete action to ensure that the truth about their involvement in secret detentions and unlawful detainee transfers is revealed to the public, those responsible for human rights violations are brought to justice, and effective control is established over foreign and national security services, so that such abuses never happen again.

In particular Amnesty International calls for the following actions to be taken:

- On 27 June 2007, the Parliamentary Assembly of the Council of Europe (PACE) should adopt without substantial amendment, the draft Resolution and Recommendation on rendition and secret detention accompanying the report of its Rapporteur, Senator Dick Marty's latest report (<http://assembly.coe.int/Documents/WorkingDocs/Doc07/edoc11302.pdf>).

- The governments must ensure that the truth about unlawful activities carried out by national and foreign officials in their territory or elsewhere in the context of the US-led rendition and secret detention programme is exposed. Blanket denials and the obstruction of judicial and/or parliamentary inquiries, by states and NATO must be replaced by independent, impartial and thorough investigations. State secrecy and national security cannot be used as a pretext to block the disclosure of evidence of official involvement in serious violations of human rights.
- The Council of Europe member states must ensure that multilateral and bilateral agreements and actions taken to implement them, including those made the context of NATO, are consistent with their duties to respect and protect human rights.
- The Council of Europe's Committee of Ministers and the Council of the European Union must end their silence, in the face of the information revealed by the investigations carried out by the PACE, Council of Europe's Secretary General and the EU's European Parliament.
 - They must publicly condemn rendition, secret detention, enforced disappearance, torture and other ill-treatment.
 - They must demand that the member states initiate independent, impartial and effective investigations; bring those responsible for unlawful conduct to justice and ensure adequate reparation for the victims of rendition and secret detention.
- The Committee of Ministers must also take action to address existing gaps in international law which may have facilitated these practices. In particular, the Ministers should immediately mandate groups to draft, in a transparent manner, the standards recommended by the Secretary General a year ago. These proposed standards aim at
 - ensuring effective democratic oversight and accountability for all intelligence services – civilian, military, national and foreign;
 - the respect of human rights by transiting civilian and state aircraft;
 - creating a framework for the waiver of immunity of state officials reasonably suspected of involvement in grave violations of human rights.

The Council of Europe should also develop standards which make it clear that information related to the involvement of agents of the State in grave human rights violations cannot be protected as a "state secret" or on grounds of national security.

- The Committee of Ministers must also take measures to implement Recommendation 1754 (2006), concerning involvement by European states in renditions and secret detentions, passed by the Parliamentary Assembly, a year ago.
- The Council of Europe should establish an adequately resourced European parliamentary inquiry mechanism to investigate serious, systematic violations of human rights, such as those which have occurred in the context of the US-led renditions and secret detention programmes.

These measures are essential to demonstrate the real commitment – in action as in words - of the Council of Europe and its member states to the founding principles of the Council of Europe. Respect for human rights and the rule of law demand no less. Our future collective and individual security depends on it.