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Public Statement

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Germany should seek extradition of alleged perpetrators of human rights violations, including torture

Amnesty International is concerned that the German authorities will not seek the extradition of 13 US citizens, including at least 10 operatives of the Central Intelligence Agency (CIA), suspected of being involved in the abduction and rendition of German citizen Khaled el-Masri. Khaled el-Masri was abducted from Macedonia in 2003 and taken to Afghanistan where he has alleged he was subjected to torture and other forms of ill-treatment.

Amnesty International has repeatedly called on all European governments to collaborate with judicial investigations into renditions that have taken place in Europe. The failure of the German government to seek this extradition threatens to facilitate impunity for alleged perpetrators of human rights violations, including torture, in the context of the "war on terror".

Amnesty International urges the German government to reverse its decision and forward these extradition requests, as an important step to bringing those responsible for human rights violations to justice. Governments should collaborate in ending human rights violations, not in perpetrating them or in facilitating impunity.

Background

Khaled el-Masri, a 44-year-old German of Lebanese origin, was arrested and unlawfully detained while on a trip to Macedonia in December 2003. He was handed over to US agents and secretly flown to Afghanistan as part of the US programme of secret detentions and renditions (the illegal transfer of people between states outside of any judicial process). Following five months of alleged ill-treatment, he was flown to an airport in Albania and released after the US authorities apparently realized they had the wrong man. On 25 June 2007, public prosecutors in Munich who are investigating Khaled el-Masri's rendition asked for the extradition of 13 US citizens, of whom at least 10 are thought to be CIA operatives.

However, the German Ministry of Justice, following informal discussions with US officials has decided not to forward the extradition requests to the US authorities. As Germany does not allow for trials *in absentia*, this means that German courts will be unable to hold accountable individuals against whom there is evidence of involvement in Khaled el-Masri's abduction, unlawful detention and alleged torture and ill-treatment.

Germany's decision not to forward these extradition requests threatens to compound the existing lack of accountability in relation to the USA's secret detention and rendition programme. In an executive order issued in July 2007, President George Bush gave the green light for the CIA to continue the programme, a programme which violates international law and places officials involved in it subject to criminal responsibility under international law.

In a recent report, Amnesty International concluded that 'another way of looking at the executive order is that it represents the latest in a series of measures taken by the authorities to ensure a lack of accountability for human rights violations committed by US forces in the "war on terror"' (see *USA: Law and executive disorder: President gives green light to secret detention program*, August 2007, <http://web.amnesty.org/library/Index/ENGAMR511352007>).

See also:

<http://web.amnesty.org/library/Index/ENGEUR010022007?open&of=ENG-2EU>
<http://web.amnesty.org/library/Index/ENGAMR511332006?open&of=ENG-DEU>
<http://web.amnesty.org/library/Index/ENGEUR010082006?open&of=ENG-DEU>

