

USA: The secretive and illegal US programme of 'rendition'

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"The United States has not transported anyone, and will not transport anyone, to a country when we believe he will be tortured. The United States does not use the airspace or the airports of any country for the purpose of transporting a detainee to a country where he or she will be tortured." - US Secretary of State Condoleezza Rice, December 5, 2005

"It never, never crossed my mind that I'd end up being hauled half way across the world by the Americans to face torture in a place I'd never been - Morocco." - Benyam Mohammed al Habashi, UK resident / Ethiopian national, who was arrested in Pakistan and is now detained in Guantánamo Bay.

Salah 'Ali Qaru finally emerged free from detention around midnight on 27 March. In nearly three years, the 27-year-old Yemeni was tortured in Jordan, flown from country to country, held for over a year in an unknown location and denied access to the outside world.

Salah 'Ali Qaru became one of probably hundreds of people caught up in the secretive and illegal US programme of "rendition". The CIA has used private aircraft operators and front companies to preserve the secrecy of their rendition flights, but nearly 1,000 flights have been identified as being directly linked to the CIA.

Salah 'Ali Qaru was then flown from his secret detention site to Yemen, where he was held for more than nine months without charge, before finally being charged with forging documents and released. He has never been charged with any terrorism-related offence.

His life has been destroyed. He has been traumatized by his ordeal. He has a two-year-old daughter he has never seen. His wife is destitute, living in Indonesia not knowing where he was for most of his detention. He doesn't know if he'll have the money or permission to return to his wife and child in Indonesia.

Salah Qaru's story and those of his country-men Muhammad Bashmilah and Muhammad al-Assad, who were also detained in the same secret facility, are just three of a handful of known cases. Potentially hundreds more remain completely secret. Renditions involve the transfer of people from one country to another in ways that bypass all judicial and administrative due process. The rendition programme has delivered people into US custody, whether at Guantánamo Bay, detention centres in Iraq and Afghanistan, or secret CIA-run facilities known as "black sites" around the world. However, it is most commonly used to transport people to third countries, including those where they are at risk of torture or ill-treatment.

Officials sometimes present rendition as an efficient means of transporting terror suspects from one place to another without red tape. That so-called red tape is international law. International law that prohibits the sending of people to countries where they are in danger of being tortured, international law against arbitrary arrest and detention without charge or trial, international law against enforced disappearance.

The protestations of the US administration that they're doing nothing illegal are belied by the absolute secrecy surrounding the programme. The US Secretary of State has said that, "where appropriate, the United States seeks assurances that transferred persons will not be tortured." If the practice of torture and ill-treatment in custody is so great that the USA must seek assurances that the receiving state will not behave as it normally does, then the risk is obviously too great to permit the transfer.

Any company that is involved in these shadowy operations, such as Richmor Aviation that is believed to have leased a Gulfstream V plane for rendition, risks being complicit in abuses of human rights. Flight records show that the Richmor Aviation plane transported Italian citizen Abu Omar from the US military base at Ramstein in Germany to Cairo, Egypt in 2003. He

remains in secret detention, possibly in Egypt. Private aircraft operators and leasing agents need to take every care that they do not lease planes that might be used in renditions.

The US programme of renditions must end and all governments must prohibit the transfer of anyone to places where they face torture or ill-treatment. All governments must ensure that their airports and airspace are not being used in renditions. All those detained in the so-called "war on terror" must be protected from torture and ill-treatment and charged and given a fair trial or released.