

AMNESTY INTERNATIONAL

PRESS RELEASE

AI Index: EUR 18/003/2007 (Public)
News Service No: 203
23 October 2007

Denmark: Authorities must come clean about renditions

European governments must initiate independent and thorough investigations into their involvement in the US-led programme of renditions and secret detention, Amnesty International said today.

"The public have a right to know if European airspace and airports were used to facilitate the transfer of people to places where they faced secret detention and torture", said Nicola Duckworth, Europe and Central Asia Programme Director at Amnesty International.

"Under international law, states that facilitate transfers to countries where they know or should know that there is a risk of serious human rights abuses are complicit in these abuses, and individuals complicit in abductions, torture or 'disappearances' should be held criminally responsible. Those who have been subject to rendition, disappeared and secretly detained must receive reparation."

The renewed call came in the wake of further allegations about the rendition and secret detention activities of the US Central Intelligence Agency (CIA) in Europe. On 21 October 2007 the Danish newspaper *Politiken* reported that one of the planes known to have been used for CIA rendition flights was given permission to cross Danish airspace on 25 October 2003. It is suspected that this plane, which was on route from Washington to Jordan, picked up Yemeni national Muhammad Bashmilah from illegal detention in Jordan, and from there rendered him to secret US custody. According to the statement he later gave to Amnesty International, Muhammad Bashmilah was then held by the US in undisclosed locations for over a year and a half. He was kept in solitary confinement, frequently shackled and in handcuffs.

The *Politiken* article also contains information about the rendition in 1995 of an Egyptian man who had been recognized as a refugee in Denmark. Talat Fouad Qassem, also known as Abu Talal, was rendered by the CIA and Egyptian authorities from Croatia to Egypt in 1995. The *Politiken* article quotes former officials from the CIA and the US State Department who believe that, although Danish officials were not the source of their information about Abu Talal's travel from Denmark to Croatia, the Danish national security service -- the PET -- would have been informed of his subsequent rendition.

The *Politiken* article quotes senior US officials who claim to have given their European partners information that came from interrogations of individuals detained in the rendition and secret detention programme. In particular it quotes a speech reportedly delivered in private in March 2007 by Michael Hayden, director of the CIA, to ambassadors of European Union (EU) member states in Washington in which he said:

"CIA detainees have been a key source for our understanding of al-Qa'ida in the past 5 years, and we have shared this knowledge with our European partners. Thousands of raw intelligence reports from CIA detainees have been passed to EU liaison partners and member countries. In addition, my Agency has provided hundreds of responses to the specific questions your services have posed to the detainees in our custody. Finally, CIA has passed you, our EU partners,

hundreds of analytical assessments based, at least in part, on information provided by al-Qa'ida detainees."

"These statements raise the question of what the European intelligence services knew about the US renditions programme", Nicola Duckworth said.

"European governments must disclose whether their intelligence agencies have asked questions through the CIA to prisoners in the rendition programme, as Michael Hayden claims."

Europe's governments have repeatedly denied their complicity in the US programme of renditions. Nonetheless, evidence suggesting their involvement continues to emerge. As revealed by journalists, by Amnesty International's report *Partners in Crime*, <http://web.amnesty.org/library/Index/ENGEUR010082006> by the reports of other non-governmental organizations and by the reports of the inquiries of the Parliamentary Assembly of the Council of Europe and the European Parliament, European airports and airspace have been used by CIA planes for flights that have repeatedly been linked to renditions. Agents of a few European countries have participated in the apprehension of people destined for rendition, or in the interrogation of such detainees once they have been transferred to countries where torture is known to be routine. European states may, as the reported remarks of Michael Hayden suggest, have received information resulting from the torture and other ill-treatment of individuals who had been subject to rendition and illegal detention, without asking where that information had come from, or under what circumstances it was obtained.

Allegations of European complicity in this programme have to date been met with silence from the decision-making bodies of the two most powerful European institutions -- the Committee of Ministers of the Council of Europe, and the Council of the EU -- despite the good work done by bodies of both those institutions in exposing the involvement of European states in renditions and secret detention. A crucial step that could, and must, be taken by the Council of Europe, as Europe's collective human rights body, is to establish a framework for the democratic oversight and accountability of national and foreign security and intelligence services, with the aim of ensuring that the actions they take to secure our safety fully respect human rights and the rule of law.

"Steps must be taken to ensure that the abductions, disappearances, secret detention and torture and other ill-treatment that have occurred in the course of the renditions programme, both outside and within Europe, are stopped, and are never repeated."

Background

In a letter to the European Parliament's *Temporary Committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners* (TDIP), the Danish government reported over 100 flights through Danish airspace and 45 stopovers in Danish airports by planes allegedly used by the CIA, including those used for renditions. In April 2007 Amnesty International expressed concern, in a briefing to the UN Committee Against Torture, at the failure of the Danish authorities to initiate an independent investigation, in line with the recommendations of the TDIP, into this alleged use of Danish airspace and Danish airports during the renditions program.

In May 2007 representatives of the Danish government reportedly told the UN Committee against Torture that Denmark "had always been strongly opposed to any measures that violated the human rights of detained persons, including terrorists", that Denmark "had a clear stance against the illegal transfer of detainees", and that "it was not possible to confirm that illegal CIA activities had taken place in Danish airspace, on Danish soil, or that any Danish official had been involved in such activities".

See also: *Partners in Crime* <http://web.amnesty.org/library/index/engeur010082006>

Denmark: A Briefing for the Committee against Torture
<http://web.amnesty.org/library/index/engneur180012007>

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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