

WEB UPDATES – TACTICAL CAMPAIGN AGAINST TORTURE	
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Title
Partners in crime: Europe's role in US renditions

Summary for torture homepage
<p>European states should end their "see no evil, hear no evil" approach to "rendition" flights and instead take active steps to end practices in their territories.</p> <p>At the EU Summit 15-16 June in Brussels leaders of EU states must take a clear and public stance against renditions and at the EU-US Summit 21 June in Vienna they must ensure that the EU reiterate this stance with the USA.</p> <p>You can make a difference. Take action now!</p>

Feature
<p>"It has now been demonstrated incontestably, by numerous well-documented and convergent facts, that secret detentions and unlawful inter-state transfers involving European countries have taken place."</p> <p>Draft report of Council of Europe Parliamentary Assembly, 7 June 2006.</p> <p>Europe's governments have repeatedly denied their complicity in the US programme of "renditions" – 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.</p> <p>As evidence of this programme has come to light, however, it has become clear that many European governments have adopted a "see no evil, hear no evil" approach when it comes to rendition flights using their territory and that some states have been implicated in individual cases. These states include Bosnia and Herzegovina, Macedonia, Turkey and EU members Germany, Italy, Sweden and the UK.</p> <p>Without Europe's help, some men would not now be held without charge or trial, in abusive conditions, in Egypt, Syria and Guantánamo. Without information from European intelligence agencies, some of the men may not have been abducted. Without access to Europe's airport facilities and airspace, CIA planes would have found it harder to transport their human cargo. In short, Europe has been the USA's partner in crime.</p> <p>The impact on both the victims of renditions and their families has been devastating.</p> <p>At the EU Summit 15-16 June in Brussels leaders of EU states must take a clear and public stance against renditions and at the EU-US Summit 21 June in Vienna they must ensure that the EU reiterate this stance with the USA.</p> <p>Sweden and the case of Ahmed Agiza and Mohammed El Zari</p> <p>Ahmed Agiza and Mohammed El Zari, both Egyptian nationals, were detained in Sweden on 18 December 2001 and flown to Egypt. The Swedish authorities had rejected the men's asylum applications and decided to expel them immediately.</p>

In Egypt, the two men were held incommunicado and allegedly tortured. In April 2004, after an unfair retrial before a military court in Egypt, Ahmed Agiza was sentenced to 25 years' imprisonment. His sentence was later reduced to 15 years and he remains in prison in Egypt. Mohammed El Zari was released from prison in Cairo in October 2003 without ever having been charged.

The Swedish authorities had obtained **diplomatic assurances** from Egypt that the men would not be tortured or be subjected to the death penalty, and would be given a fair trial on their return to Egypt. Such assurances were worthless.

The Swedish government was complicit in the **unlawful rendition** of Ahmed Agiza and Mohammed El Zari and the human rights violations they suffered at the hands of foreign agents in Sweden on the plane and in Egypt.

Write to Swedish Prime Minister demanding that ...

- o Sweden ensures adequate reparations for Ahmed Agiza and Mohammed El Zari
- o Sweden publicly commits never to seek to obtain and rely again on "diplomatic assurances" or similar bilateral agreements as a way of attempting to circumvent the principle of *non-refoulement*.
- o Sweden reforms national law to effectively protect against rendition, torture and other ill-treatment.

Other text

"This kind of complete transfer of the exercise of public authority to foreign officials on Swedish territory is not compatible with Swedish law."

Mats Melin, Sweden's Chief Parliamentary Ombudsman

Letter web action

Dear Prime Minister Göran Persson

I am writing to express my concern at the Swedish authorities' handing over of Ahmed Agiza and Mohammed El Zari from Swedish custody to that of US agents in 2001 during the course of their summary expulsion from Sweden to Egypt. This handing over amounted to a rendition and resulted in both men suffering serious human rights violations, including ill-treatment at the hands of US agents on Swedish soil and alleged torture upon return to Egypt.

Sweden is obligated under international human rights and refugee law to respect and protect the human rights of everyone within its territory and has responsibility for violations committed on its territory by foreign agents.

Sweden has failed to provide Ahmed Agiza and Mohammed El Zari with a fair and full asylum determination procedure. Sweden expelled Ahmed Agiza and Mohammed El Zari in violation of the prohibition against *refoulement*, handing over Ahmed Agiza and Mohammed El Zari to the custody of US agents resulting in their ill-treatment by US agents on Swedish territory. Additionally, Sweden should not have accepted the Egyptian authorities' diplomatic assurances and therefore it should not have expelled the two men. Sweden bears responsibility for the human rights violations suffered by the two men in Egypt, including their alleged torture or other ill-treatment in custody and the unfair trial of Ahmed Agiza.

I urge the authorities in Sweden to immediately open an independent, thorough and impartial investigation into the ill-treatment and unlawful transfer of Ahmed Agiza and Mohammed El Zari, to hold the perpetrators to account, and to provide reparations to the men and their families.

Links to documents

- o Case sheet: Sweden/USA/Egypt: Ahmed Agiza and Mohammed El Zari
- o Press release: European States legally responsible for 'rendition' abuses
- o AI recommendations for the EU-US Summit June 2006
