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Finland: Limited inquiries into rendition programme fail to meet obligation of investigation under international human rights law

Human Rights Council adopts Universal Periodic Review outcome on Finland

Amnesty International welcomes Finland's support for recommendations to combat violence against women and girls and to protect and promote the rights of LGBT individuals. Amnesty International also welcomes that Finland engaged with civil society throughout the UPR process, including by arranging hearings and other events for civil society.

However, Amnesty International is dismayed by Finland's response to the recommendation that it investigate its participation in the CIA rendition programme.¹ The authorities claim that they first investigated allegations of Finnish complicity in the rendition programme in 2005, and more recently conducted an "investigation" in 2011-2012. However, inquiries by the Ministry of Foreign Affairs in 2011 and 2012 to some government agencies and to the US authorities do not qualify as the independent, impartial, thorough and effective investigation into human rights violations -- such as enforced disappearance and torture -- that is legally required by Finland according to its international human rights obligations and that is emphasized in a new report adopted by the European Parliament on 11 September 2012.

In October 2011, Amnesty International published new evidence that aircraft connected to the rendition programme had landed in Finland between 2001 and 2006. In response, the Ministry of Foreign Affairs released data on 250 landings in Finland by aircraft linked to the CIA programme, including connections between Finland and Lithuania, which has admitted hosting two CIA secret detention sites on its territory. Finland apparently was also used as a fake destination to conceal flights to and from the secret sites in Lithuania, an allegation supported by information released in September 2012 by the London-based organization Reprieve, which confirmed that flight plans were often falsified or planes switched to cover-up the routes of some rendition aircraft alleged to have deposited suspects in Lithuania.

Finland claims that it has exhausted all avenues with respect to revealing the truth regarding its role in the CIA operations and points now to an inquiry being conducted by the Parliamentary Ombudsman. However, neither Finland's limited inquiries, nor the Ombudsman's process, conform with Finland's legal obligation to investigate the human rights violations related to the rendition programme. That obligation can only be achieved by creating conditions for an investigation truly independent of the government. While Finland may claim to have partially accepted the recommendation to investigate rendition flights, it cannot claim to have actually done so in accordance with its human rights obligations.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Finland on 19 September 2012 during its 21st session. Prior to the adoption of the review outcome Amnesty International delivered the oral statement above. Amnesty International had earlier submitted information on the situation of human rights in Finland:
<http://www.amnesty.org/en/library/info/EUR20/002/2011/en>

Public Document

¹ A/HRC/21/8, recommendation 90.26 (Ecuador) and A/HRC/21/8/Add.1, page 7.

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