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## **European governments must provide justice for victims of CIA programmes**

Amnesty International today calls on European governments to provide justice for the victims of the CIA's unlawful rendition and secret detention programmes which led to the enforced disappearance, torture and ill-treatment of a number of people.

Amnesty International's report published today, *Open secret: Mounting evidence of Europe's complicity in rendition and secret detention* compiles the latest evidence of European countries' complicity in the CIA's programmes in the context of the fight against terrorism in the aftermath of the 11 September 2001 attacks in the USA.

"The EU has utterly failed to hold member states accountable for the abuses they've committed," said Nicolas Beger, Director of Amnesty International's European Institutions Office.

"These abuses occurred on European soil. We simply can't allow Europe to join the US in becoming an 'accountability-free' zone. The tide is slowly turning with some countries starting investigations but much more needs to be done."

A number of individuals have been subjected to enforced disappearance, including in secret CIA detention, and the whereabouts of some remain unknown. Every one of the rendition victims interviewed by Amnesty International has said they were tortured or otherwise ill-treated in custody.

"No one should escape responsibility for the unlawful transfer, enforced disappearances, torture, and secret detention which occurred in the context of these CIA-led operations. National governments have a legal obligation to ensure their full accountability for such violations," said Nicolas Beger.

Intergovernmental organizations such as the Council of Europe, the European Union and the UN have been at the forefront of investigating human rights violations associated with the CIA rendition and secret detention programmes.

Following disclosures in their reports, inquiries into state complicity or legal processes aimed at individual responsibility took place or are currently in progress in countries such as Germany, Italy, Lithuania, Macedonia, Poland, Romania, Sweden and the United Kingdom.

"There is progress in a number of European countries toward accountability. The momentum must not be lost. The too often repeated mantra of 'need for state secrecy in order to protect national security' must not be used as a screen for impunity," Nicolas Beger said.

## **Which countries did what?**

**Germany** was complicit in the secret detention of Muhammad Zammar, interrogated by German agents while held in secret detention in Syria in November 2002. German officials acknowledged that torture occurred in Syrian prisons. He has yet to receive justice, despite a German parliamentary inquiry into his and others' claims of abuse.

**Italy** has convicted US and Italian agents for their involvement in the February 2003 abduction of Abu Omar in Milan. He was then unlawfully sent to Egypt where he was held in secret and allegedly tortured. But the cases against high-level US and Italian officials were dismissed on the basis of state secrecy and diplomatic immunity. The prosecutor has appealed against those dismissals while Italian claims of the need to protect 'state secrets' continue to obstruct justice.

**Lithuania** has admitted that two secret prisons existed. The prisons were visited in June 2010 by a delegation from the European Committee for the Prevention of Torture, the first visit by an independent monitoring body to a secret CIA prison in Europe. An on-going criminal investigation must ensure that those responsible are held accountable.

**Macedonia** is alleged to have assisted in the unlawful detention and subsequent CIA-led rendition to Afghanistan of German national Khaled el-Masri, who has taken the case against Macedonia before the European Court of Human Rights: the first time this court is likely to consider a case involving a Council of Europe member state's alleged complicity in the CIA programmes. Macedonia continues to deny that its agents acted unlawfully.

**Poland's** Border Guard Office in July 2010 revealed that seven planes, many carrying passengers, operating in the CIA's rendition programme landed at Szymany airport, near the alleged site of a secret prison at Stare Kiejkuty. In September, the prosecutor's office confirmed it was investigating claims by Abd al-Rahim al-Nashiri, that he was held in secret in Poland. He was granted 'victim' status in October 2010, the first time a rendition victim's claims have been acknowledged in this context.

**Romania** is alleged to have hosted a secret CIA prison. It totally denies responsibility despite fresh evidence of its involvement in the rendition programme.

**Sweden** is charged with failing to investigate fully the renditions at the hands of the CIA in December 2001 of Ahmed Agiza and Mohammed al-Zari to Egypt, where the men reported that they were tortured. Despite having awarded the men compensation, the government has also failed to provide the men with full and effective redress.

The **UK** announced in July 2010 that it would establish an inquiry into the involvement of British officials in the alleged mistreatment of individuals detained abroad by foreign intelligence services. The Government has also acknowledged that the US used British territory for rendition flights.

### **See also:**

*State of denial: Europe's role in rendition and secret detention*, report, 2008