

## Committee hears first testimonies in CIA case

At Thursday's first session of the temporary committee investigating alleged CIA involvement in the illegal detention of prisoners in Europe, non-governmental organisations and officials claimed there was considerable circumstantial evidence of CIA flights and renditions, including a number of well-documented cases.

There is "*no doubt*" that the Bush administration engaged in abductions, extraordinary renditions and secret detentions, claimed Joanne Mariner --a terrorism expert at Human Rights Watch. What is important, she noted, is the extent of European governments' involvement in these practices. Evidence of such involvement, she argued, includes the case of a CIA-operated plane which flew from Kabul to north-eastern Poland on 22 September 2003, landed at a military airfield in Romania the very next day – and then took off for Guantánamo Bay, by way of Morocco.

Invited by committee rapporteur Giovanni Fava (PES, IT) to provide "*the basis for [her] hypothesis*", Ms. Mariner cited her organisation's sources as "*flight records, flight logs, and flight plans*". When asked whether she had interviewed any CIA detainees, she answered: "*Nobody has contact with these detainees*" – aside from the interrogators who are holding them. The only information about them, she added "*is second-hand, even third-hand, or fourth hand*".

Why have you singled out Poland and Romania for investigation – asked Bugoslaw Rogalski (IND/DEM, PL) – when planes "*are known to have landed in Italy, Germany*

*and Spain?" All the information you have "relies on press reports or rumours", he added, "and not [on] sources that would be verified by courts of law". "We have not said [the evidence] is beyond doubt" – responded Ms. Mariner – but that there is "circumstantial evidence and that these allegations merit investigation."*

## **EU responsibility?**

European governments *"turned a blind eye"* to what was going on, argued Statewatch director Tony Bunyan, citing a 2003 EU-US agreement on *"increased use of European transit facilities to support the return of criminal/inadmissible aliens"*. Echoing an earlier question from Sarah Ludford (ALDE, UK) – as to whether transit of detainees was *"tolerated in a climate of understanding"* – Mr. Bunyan noted that the 2003 agreement *"was a terribly informal decision"*, suggesting the collusion of European governments and a general *"climate of compliance"*.

*"Are you also claiming that the EU knew, or gave approval to, renditions?"* asked Stavros Lambrinidis (PES, EL). The 2003 decision, answered Bunyan, was *"distinctly additional [...] to the one taken in 1998"* on the transit of refugees. Still, he argued, it raises the question of what the US defines as the *"criminals and inadmissible aliens"* covered by this agreement. *"If airspace is being used for the purpose of transit [...] the critical thing is that we get the names of the people on the flight"*, so as to have some sort of a *"mechanism to ensure that people are being humanely treated during transit"*.

## **CIA flights**

Amnesty International's Anne Fitzgerald began her presentation to the committee by noting that her organisation has records of 800 flights around Europe, "*which we suspect to be flights linked with the CIA*". This, however, "*is not to say that 800 have been carrying rendition victims*". Still, she noted, we have evidence of four flights, all of them "*well-documented cases*", where that has been the case. When Jas Gawronski (EPP-ED, IT) appeared sceptical about the conclusions to be drawn from such "*circumstantial evidence*", Ms. Fitzgerald acknowledged that "*the fact that the CIA has been flying planes in and out of Europe is not conclusive: it is indicative*".

Asked by Cem Özdemir (Greens/EFA, DE) to provide information on any possible "*detention centres*" in Europe, Ms. Fitzgerald answered that Amnesty had "*no hard evidence of any black sites on European territory*".

## **The Italian case**

The various NGO representatives invited agreed that one of the best known and best documented cases of extraordinary rendition in Europe is the abduction of the Muslim cleric Abu Omar, in a Milan street in February 2003. Via the military airbases at Aviano in Italy and Ramstein (Germany), Omar was flown to Egypt, where he was tortured before being released. He had received refugee status in Italy, where he was living.

The Italian prosecution service has issued arrest warrants against 22 CIA agents. Armando Spataro --Milan prosecutor-- was invited to share the details and possible implications of

his investigation with the members of the committee. Following an in-depth explanation on his current findings, mainly thanks to the use of mobile phones by CIA agents during the abduction, he concluded: "*we haven't got sufficient information to say there has been complicity or acknowledgement from the Italian intelligence service. I work on the basis of evidence*".

Dick Marty, the Council of Europe rapporteur on the alleged secret detentions, was the last guest to speak before the committee. "*The case of Abu Omar is exemplary because it highlights a strategy, a methodology in the way of carrying out abductions. We see a very precise type of logistics which is now arising in other cases as well*". When drafting his general conclusions he stressed the fact that "*The US authorities have acknowledged the existence of extraordinary renditions in Europe. US secretary of State Condoleezza Rice called it 'a way of protecting our citizens'. The fact that Rice said that the US always acted respecting the sovereignty of Member States means that someone at some level of the EU national governments must have been aware*".