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Europeans must account for their complicity in CIA secret detention and torture

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From late 2001 onwards, the US Central Intelligence Agency developed a vast network of clandestine counter-terrorism operations to capture and detain its most wanted suspects. The CIA's partner agencies in various foreign countries – including across Europe – lent their close collaboration. The value of the intelligence produced by this network has been questioned; but one clear result was a pattern of abusive and excessive actions in flagrant violation of human rights.

Highly secure detention facilities, so-called "Black Sites", were established in at least seven different overseas locations, to which the CIA delivered its detainees for "enhanced interrogation". Detention in CIA custody meant being kept indefinitely in secret, incommunicado, solitary confinement.

US Government policy

Among the **interrogation techniques authorised by the US Government** were forced nudity, shackling in stress positions, extended sleep deprivation, dietary manipulation, slapping, walling and waterboarding. The CIA's interrogation methods routinely crossed the threshold of cruel, inhuman and degrading treatment, and in many cases constituted torture.

The "high-value detainees" (or HVDs) were detained for periods of up to four-and-a-half years in total, but each of them was moved between locations and sometimes recycled every few months through a disorientating succession of Black Sites. In the end they were not brought to justice, but rather to further indefinite detention at Guantanamo Bay.

It took several years for the first facts to emerge regarding the countries that hosted CIA Black Sites. The **US Government maintains up to now** that "details concerning locations", and the "assistance of foreign liaison services in any aspect of the program" should be kept secret.

Nonetheless, through the concerted efforts of independent investigators, aided by some **important declassified documents released under the US Freedom of Information Act**, a much clearer picture has formed of where the key detention and interrogation activities, and the attendant abuses, took place. Several significant events, with profound implications for human rights, unfolded in European countries.

Torture documented in Europe

A CIA Black Site was opened in Poland on 5 December 2002. A

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rendition flight out of Bangkok brought two HVDs, Abu Zubaydah and Abd Al-Nashiri, to Szymany Airport on that day. Subsequent renditions in February, March and June 2003 brought further HVDs to Poland, including the alleged 9/11 co-conspirators, Khalid Sheik Mohammed and Ramzi Binalshibh.

Interrogations at the facility in Poland figured prominently in a **2004 "Special Review" of Black Sites undertaken by the CIA Inspector General**, largely on account of the multiple "allegations of the use of unauthorised techniques". Among the most notorious incidents, a CIA debriefer tortured Al Nashiri using "props to imply a physical threat", including "an unloaded semi-automatic handgun" and a "power drill". CIA interrogators also "manhandled him while he was tied in stress positions, and stood on his shackles to induce pain".

In the case of Khalid Sheikh Mohammed, the CIA Inspector General documented "repetitive use of the waterboard" entailing "approximately 183 applications" in a single month. This torture eclipsed all of the CIA's own prior limits on waterboarding – a technique already acknowledged by US Government lawyers as being "most intrusive" and "traumatic".

While Polish officials were not involved in handling or interrogating any detainees, authorisation was obviously given at the highest political level and some assistance provided by the intelligence services. The ongoing investigation of the Polish Prosecutor has a crucial role to play in achieving accountability; its results should be tendered for public and judicial scrutiny with the minimum of further delay.

Unanswered questions

Romania has also been found complicit in CIA secret detentions. A CIA Black Site was opened near Bucharest on 23 September 2003, immediately after the closure of the Polish facility. It is known that at least one of the HVDs from Poland was delivered directly to Baneasa Airport in the middle of the night. CIA operations continued in Romania for over two years.

Unfortunately, the Romanian authorities have demonstrated little genuine will to uncover the whole truth of what happened on Romanian territory. The only official response has been denial, supported by a Senate Committee report refuting all allegations. A prosecutorial investigation, or a public inquiry with the power to compel classified evidence, must no longer be avoided.

Lithuania was the last European country found to have hosted a CIA Black Site. The Lithuanian authorities have demonstrated some intent to reveal the truth, notably through a **parliamentary inquiry** and a one-year pre-trial investigation by the Prosecutor General's Office. A delegation from the **Committee for the Prevention of Torture (CPT)** **was able to inspect two detention sites** identified by the parliamentary committee as having been equipped to house CIA detainees. However, the essential questions as to the timing and scope of the CIA's use of these facilities remain unanswered.

Accountability must be established

At the height of the "war on terror", Poland, Romania and Lithuania extended quite extraordinary permissions and protections to their American partners – while respecting conditions of total secrecy. Today, years later, darkness still enshrouds those who authorised and ran the Black Sites on European territories.

The full truth must now be established and guarantees given that such forms of co-operation will never be repeated. Effective investigations are imperative and long overdue. The purported cost to transatlantic

relations of pursuing such accountability cannot be compared to the damage inflicted on our European system of human rights protection by allowing ourselves to be kept in the dark.

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