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Poland and America

Poland's secret CIA prisons

Aug 28th 2012, 16:17 by A.H. | STARE KIEJKUTY

THE outsourced torture sessions carried out here were supposed to make the suspected terrorists talk. Ironically, those who facilitated these tortures may now themselves be forced to talk. At least this is what the European Court of Human Rights demands of Poland by September 5th.

An American diplomatic cable dated December 13th 2005 reads: "[The] rendition and 'CIA prisons' issue will continue to dog the Polish government, despite our and the Poles' best effort to put this story to rest." The existence of "black sites" in "East European countries" where the CIA practised torture was revealed at the time by the *Washington Post* (<http://www.washingtonpost.com/wp-dyn/content/article/2005/11/01/AR2005110101644.html>) . Later Human Rights Watch (<http://www.hrw.org/en/news/2005/11/06/human-rights-watch-statement-us-secret-detention-facilities-europe>) specifically named Poland along with Romania. Back then the authorities in Warsaw denied everything : no sites, no torture, just "speculation".



Four years into the investigation in Poland and nine years since the alleged tortures, neither government acknowledges anything much about what amounted to American-Polish complicity in violating basic and inalienable human rights. However, many institutions did their own research on rendition and CIA prisons and none of their conclusions has ever been challenged. Human Rights Watch, Amnesty International (<http://www.amnesty.org/en/library/info/POL30/003/2006/en>) , the Council of Europe (<http://www.assembly.coe.int/Documents/WorkingDocs/Doc07/edoc11302.pdf>) , the European Parliament (<http://www.ceps.be/ceps/download/7003>) , the UN's Committee Against Torture (<http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A-HRC-13-42.pdf>) , the International Committee of the Red Cross, (<http://www.economist.com/assets.nybooks.com/media/doc/2010/04/22/icrc-report.pdf>) the Inspector General of the CIA (http://media.washingtonpost.com/wp-srv/nation/documents/cia_oig_report.pdf) , Open Society Justice Initiative (<http://www.soros.org/voices/european-court-probes-truth-cias-secret-prison-poland>) and the Helsinki Foundation for Human Rights in Warsaw (<http://www.europarl.europa.eu/document/activities/cont/201203/20120326ATT41897/20120326ATT41897EN>)

are all in agreement that "stuff happened".

According to these sources, between December 2002 and September 2003, the CIA flew at least 11 prisoners in disguised planes, which were "on state business". The planes landed at the small Szymany airport and the prisoners were taken a half an hour's drive to a Polish intelligence training base in Stare Kiejkuty, an otherwise bucolic spot by a lake in north eastern Poland. Here they were tortured using a whole gamut of techniques from prolonged shackling and/or nudity to waterboarding, and within days, weeks or months flown out—in effect, kidnapped—to other countries. All of the above are violations of human rights, irrespective of the very serious crimes of which these detainees may be accused. The mere act of transferring anyone to a country where they risk capital punishment is a violation of the European Human Rights Convention.

In Poland, putting the issue to rest has proved impossible. There were surprisingly few leaks given that for nine months the torturers, their translators and their victims were all living by the Mazury lake. But there are Poles whose dogged actions kept the issue alive. Adam Krzykowski, a young local reporter, patiently gathered precious details, which put together provide an irrefutable backdrop to the story of the torture centre. Leszek Miller, the prime minister of Poland at the time of the renditions, called journalists who investigated this issue "useful idiots", an expression borrowed from Lenin. By publishing their revelations, he added, they "invite Al-Qaeda to Poland". Mr Miller continues to deny everything, whereas Aleksander Kwaśniewski, Poland's president at the time, tends to be more ambivalent. (Both men are known as "post-Communists": the leftists who came to power for a decade in 1995 and who were rising stars when Poland was still a Soviet satellite.)

Józef Piniór, the legendary leader of the "Solidarity" trade union, who is now a Polish senator, demands that the truth on the "black sites" be revealed. He is asking how the values for which "Solidarity" fought—human rights and the rule of law—can be trampled in the name of pleasing a superpower. "The post-Communists obviously do not have a tradition of respect for human rights, and the rightwing politicians [who ruled when the 'black sites' were revealed] are too attached to conservative values and too eager to please the United States to want something like this to be known," he says.

Mikołaj Pietrzak, a tenacious lawyer who represents Abd Al-Rahim Al Nashiri, one of the two detainees who were granted "victim" status in Poland, is outraged by the American Department of Justice's hampering the proceedings in Poland: it has rejected the request for information made according to the Mutual Legal Assistance Treaty. This, says Mr Pietrzak, is a slap in the face of the Polish authorities, and a deliberate obstruction of justice.

The Polish prosecutors (a third team and counting) are positive heroes too. But the issue is so sensitive that it is wrenched from their hands every time they advance with their investigation. Come September 5th the questions that the European Court of Human Rights is asking regarding Mr Al Nashiri: "was the applicant detained in a secret detention facility in Poland? ...[was he] subjected to torture ... while in U.S. custody on Polish territory?" must be answered by the authorities in Warsaw. And these, says Mr Piniór, are basically questions about Polish democracy. Is it weak and easily abused? Or is it strong enough to go after those who were accomplices in violations of human rights?