

Europarådet

Europarådet
ERD alm. del - Bilag 64
Offentligt



10. januar 2006
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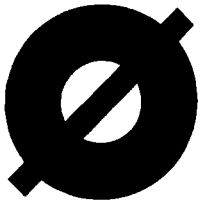
Dagsorden

for delegationsmøde torsdag den 19. januar 2006 kl. 14.00 i værelse 1-008

- 1. Drøftelse af brev af 14. december 2005 (vedlagt) fra Rune Lund om de påståede CIA-flyvninger og hemmelige fængsler, jf. også brev af 19. december 2005 (vedlagt) fra formanden for Committee on Legal Affairs and Human Rights**
- 2. Drøftelse af brev af 11. oktober 2005, jf. alm. del – bilag 31, fra generalsekretær Bruno Haller om organiseringen af arbejdet i Den Parlamentariske Forsamling og dens komiteer. Brevet handler bl.a. om deltagelse i afstemninger og komitémøder**
- 3. Drøftelse af brev af 29. november 2005 (vedlagt) fra René van der Linden og Hanne Severinsens brev af 12. december 2005 (vedlagt) til udenrigsministeren**
- 4. Drøftelse af eventuel redegørelse fra udenrigsministeren om Europarådets virksomhed, herunder om formen for debat om en sådan redegørelse**
- 5. Drøftelse af planlægningen af udenrigspolitiske debatter i Salen i relation til Europarådets sessioner**
- 6. Orientering om Ministerkomiteens resolution om Danmarks efterlevelse af rammekonventionen om beskyttelse af nationale mindretal (vedlagt)**

**7. Orientering om bestræbelserne på at flytte den 4. årlige session og fra det seneste
bureaumøde vedr. den kommende session**

8. Eventuelt



Enhedslisten - de rød-grønne

Folketingsgruppen • Christiansborg • 1240 København K

Til: Forkvinden for den danske parlamentariske forsamling til Europarådet, Hanne Severinsen
Kopi: Medlemmer og stedfortrædere til den danske parlamentariske forsamling til Europarådet

Kære Hanne Severinsen.

Christiansborg den 14. december 2005.

Jeg skriver til dig, fordi du er forkvinde for den danske parlamentariske delegation til Europarådet.

Jeg ved gennem mit arbejde som Enhedslisten repræsentant i Europarådets parlamentariske forsamling, at kampen for demokrati og menneskerettigheder er noget, der ligger dig meget på sinde.

Derfor skriver jeg nu til dig vedrørende sagen om CIA-flyene og de hemmelige fængsler, som Europarådet har valgt at undersøge.

Den konkrete anledning er, at formanden for Europarådets komité for juridiske og anliggender og menneskerettigheder, Dick Marti, efter et møde i komitéen den 13. december har udtalt, at han finder oplysningerne om CIA-fly og hemmelige fængsler troværdige.

I en pressemeddelelse samme dag opfordrer Dick Marty derfor formændene for de enkelte landes delgationer til at følge aktivt op i processen med at afdække, hvad der foregår, og hvad der er foregået i forhold til CIA-flyene og de hemmelige fængsler. Han skriver i pressemeddelelsen:

"The rapporteur urges all member governments to commit themselves fully to establishing the truth about flights over their territories in recent years by aeroplanes carrying individuals arrested and detained without any judicial involvement.

The Rapporteur intends to ask the leaders of the parliamentary delegations to the Assembly to take initiatives within their parliaments in order to obtain more precise information on this matter, either by putting questions to their governments or by proposing the setting up of committees of enquiry.

In fact, the delegations to the Parliamentary Assembly can make use of their unique position to lobby national parliaments to shed light on the matter."

- 1) Jeg vil derfor opfordre dig – som forkvinde for den danske delegation - til at følge Europarådets anbefaling og tage initiativer til at få flere og mere præcise informationer om, hvad der er foregået på dansk territorium i denne sag. Den bedste og mest tilbundsgående løsning vil i denne sammenhæng være nedsættelsen af en komité, der kan stå for en national undersøgelse.

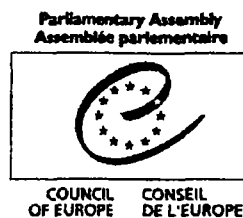
Med venlig hilsen og håb om en positiv tilbagemelding

Rune Lund,

MF, Enhedslistens repræsentant i Europarådets parlamentariske forsamling

Parliamentary Assembly
Assemblée parlementaire

Committee on Legal Affairs and Human Rights
Commission des questions juridiques et des droits de l'homme



The Chairperson

19 December 2005

Dear Chairperson,

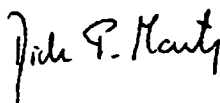
As you are no doubt aware, the Committee on Legal Affairs and Human Rights has instructed me to prepare a report on *"Alleged secret detention centres in Council of Europe member states"* (Doc 10748).

At its meeting in Paris on 13 December 2005, the Committee discussed the action taken on this issue in their national parliaments. I have been asked, at the request of members of the Committee, to prepare a list of pertinent questions which members of parliament could address to their governments. I would be grateful if you could forward this list to the members of your Parliament as soon as possible. The pressure thus brought to bear in national parliaments will reinforce that exerted by international organisations.

I would also be grateful if you could send me replies already given or to be given by your governments to these questions. This information will be extremely useful if the Assembly decides to follow the Committee's proposal to hold an urgent procedure debate on this matter during the January 2006 part-session.

Thanking you in advance for your cooperation, I remain,

Yours sincerely,



Dick Marty

Mrs Hanne SEVERINSEN
Chairperson of the delegation of Denmark
to the Parliamentary Assembly of the Council of Europe

Copy: Secretary of the national delegation

19.12.2005

Allegations of secret detention

Rapporteur: Dick Marty (Switzerland, ALDE)
(PACE Doc 10748)

Questions which members of the Parliamentary Assembly might put to their respective governments in their national parliament:

Secret services:

- Is the Government systematically informed of the activities of foreign secret services (in particular the CIA) on national territory?
- How does it supervise co-operation between the national secret services and those of partner countries? To what extent might the Government have tolerated certain illegal activities by foreign secret services on national territory by adopting a passive attitude?
- Are there any specific agreements with the USA on combating terrorism (possibly providing for the USA to have bases on national territory or even to carry out policing operations independently)?

Secret detention centres:

- Does the Government have any information regarding the existence of secret detention centres on national territory or elsewhere in Europe? If so, what information? Since when?
- Have the authorities been contacted by the authorities or secret services of other countries requesting permission for the (secret) detention and/or "rendition" of prisoners on national territory?
- Has the Government requested information from the American authorities regarding the alleged existence of secret detention centres in Europe? If so, what replies has it received to date?

Flights to, from or over national territory by CIA aircraft/transportation of prisoners:

- Does the Government know of any flights to, from or over national territory by aircraft chartered by the CIA or related agencies (outsourcing)? If so, since when, and how frequent have they been?
- Was permission requested from the Government or the competent authorities for the flights and overflights in question? If so, what was its/their response?
- What information must be provided in support of such requests? Must a list of passengers' names (always) be supplied?
- What implications do the NATO accords or other similar agreements have for the procedures for requesting permission for the alleged flights? Do these procedures only apply to military flights or can they be extended to civilian flights?

- Does the Government know of (or has it tolerated by adopting a passive attitude) the illegal transportation of prisoners on those flights? If so, since when has this been the case?
- What is the legal basis allowing prisoners to be transported *via* national territory by a third country? Has the Government ever authorised this kind of transportation? If so, what kind of assurances can it demand regarding the conditions under which these prisoners are held?
- Does the Government know of any landings on national territory of aircraft which may have carried such prisoners (eg on their way to the Guantanamo Bay base)? If so, please give details.
- Does the Government know of, or has it been passively or actively involved in, the carrying out of abductions by foreign secret services on national territory or that of other states? Have there been any judicial investigations into these cases? If so, what results have there been so far?
- Has the Government requested information from the American authorities regarding alleged flights to, from or over national territory by aircraft chartered by the CIA which may have been used for the illegal transportation of prisoners? If so, what replies has it received so far?

Appendix 2: List of suspected CIA flights

Company	Make	Year	N-Number	FAA listed owner	Crew	Pass	Take-off Weight	Operating Location	Company Address
Richmor Aviation	Gulfstream IV	1991	N85VM (now N2275V)	Assembly Point Aviation (Phillip Morse)	2	10	74 600	Smithfield, NC	Hudson, NY
Richmor Aviation	Gulfstream 1159/A	1982	N50BH	Crystal Jet Aviation (Robert Higgins)	2	15	69 700	Smithfield, NC	Hudson, NY
Richmor Aviation	Boeing 737	2001	N368CE	Wells Fargo Bank Northwest	5	20	135 000	Smithfield, NC	Hudson, NY
Stevens Express Leasing Inc.	Beech B-200	1981	N4042J	Stevens Express Leasing	2	7	12 500	Smithfield, NC	Cordova, Tenn.
Stevens Express Leasing Inc.	Beech B-350	1992	N173S	Stevens Express Leasing	2	17	15 000	Smithfield, NC	Cordova, Tenn.
Stevens Express Leasing Inc.	Beech B-350	1996	N4009L	Stevens Express Leasing	2	17	15 000	Smithfield, NC	Cordova, Tenn.
Stevens Express Leasing Inc.	Douglas DC-3	1968	N845S	Stevens Express Leasing	3	11	25 000	Smithfield, NC	Cordova, Tenn.
Crowell Aviation Technologies Inc.	Cessna 208	1989	N1016M	Crowell Aviation	1	9	7 800	North Las Vegas, NV	Dedham, MA
Aviation Specialties Inc.	Beech King Air B-200C	1982	N157A	Aviation Specialties	1	10	12 500	Smithfield, NC	Washington, DC
Aviation Specialties Inc.	Beech King Air B-200C	1982	N312ME	Aviation Specialties	1	6	12 500	Smithfield, NC	Washington, DC
Aviation Specialties Inc.	Beech King Air B-200C	1982	N58AS	Aviation Specialties	1	6	12 500	Smithfield, NC	Washington, DC
Aviation Specialties Inc.	DeHavilland DHC-6	1979	N6161Q	Aviation Specialties	1	17	12 500	Smithfield, NC	Washington, DC
Aviation Specialties Inc.	Beech King Air B-200C		N299AL	Aviation Specialties	1	10	12 500	Smithfield, NC	Washington, DC
	Raytheon Aircraft Co/B200C		4456 A	Aviation Specialties					
	Raytheon Aircraft Co/B200C		4489 A	Aviation Specialties					
	Raytheon Aircraft Co/B200C		5139 A	Aviation Specialties					
	Raytheon Aircraft Co/B200C		5155 A	Aviation Specialties					
Premier Executive Transport Services Inc.	Gulfstream G-V	1999	N8068V (now N4498Z)	Bayard Foreign Marketing	2	12	89 000	Smithfield, NC	Dedham, MA
	Gulfstream Aero Space/G-V		4498Z	Bayard Foreign Marketing					
Premier Executive Transport Services Inc.	Boeing 737		N313P (now N4476S)	Keeler & Tate Management Inc.	3	38	171 000	Smithfield, NC	Dedham, MA
Devon Holding & Leasing Inc.	Cessna 182	1980	N1018H	Tepper Aviation	2	2	3 100	Smithfield, NC	Lexington, KY
Devon Holding & Leasing Inc.	Casa 235	2002	N168D	Devon Holding and Leasing	4	48	36 380	Smithfield, NC	Lexington, KY
Devon Holding & Leasing Inc.	Casa 235	2003	N196D	Devon Holding and Leasing	4	48	36 380	Smithfield, NC	Lexington, KY
Devon Holding & Leasing Inc.	Casa 235	2004	N187D	Devon Holding and Leasing	4	48	36 380	Smithfield, NC	Lexington, KY
	Construcciones aeronauticas SA/CN-236		219 D	Devon Holding and Leasing					
Path Corp	Fairchild Merlin IVC	1983	N120JM	Path Corp	2	20	16 000	Green Cove Springs, Fla.	Rehoboth Beach, DE
Path Corp	Lear Jet 35A	1978	N221SG	Path Corp	2	6	18 300	Green Cove Springs, Fla.	Rehoboth Beach, DE
Path Corp	Cessna 208B	1996	N212CP	Path Corp	2	10	87 500	Green Cove Springs, Fla.	Rehoboth Beach, DE
Path Corp	DeHavilland DH-8	1995	N505LL	Path Corp	2	53	43 000	Green Cove Springs, Fla.	Rehoboth Beach, DE
Rapid Air Trans Inc./Tepper Aviation	Lockheed L-382G	1978	N8183J	Rapid Air Trans	5	0	155 000	Beltsville, MD	Beltsville, MD
Rapid Air Trans Inc./Tepper Aviation	Lockheed L-382G	1975	N2189M	Rapid Air Trans	5	0	155 000	Beltsville, MD	Beltsville, MD
Rapid Air Trans Inc./Tepper Aviation	Lockheed L-382G	1985	N4557C	Rapid Air Trans	5	0	155 000	Crestview, Fla.	Beltsville, MD/Crestview, Fla.
Eastern Shore Holdings Inc.	Bell 407	2000	N837DR	Eastern Shore Holdings	1	6	5 000	Rehoboth Beach, DE	Rehoboth Beach, DE
Eastern Shore Holdings Inc.	Bell 412	1998	N219MG	Eastern Shore Holdings	2	9	11 600	Rehoboth Beach, DE	Rehoboth Beach, DE
Eastern Shore Holdings Inc.	Bell 412	1998	N719GB	Eastern Shore Holdings	2	9	11 600	Rehoboth Beach, DE	Rehoboth Beach, DE
Eastern Shore Holdings Inc.	Super Puma AS 322L1	2003	N486AE	Eastern Shore Holdings	3	22	18 960	Rehoboth Beach, DE	Rehoboth Beach, DE
Eastern Shore Holdings Inc.	Super Puma AS 322L1	2003	N588AE	Eastern Shore Holdings	3	32	18 960	Rehoboth Beach, DE	Rehoboth Beach, DE
Eastern Shore Holdings Inc.	Mil 8 MTV1		N806ZZ	Eastern Shore Holdings	3	24	32 000	Rehoboth Beach, DE	Rehoboth Beach, DE
Eastern Shore Holdings Inc.	Mil 8 MTV1		N40414	Eastern Shore Holdings	3	24	32 000	Rehoboth Beach, DE	Rehoboth Beach, DE
	Cessna / TR182		1018 H	Tepper Aviation					
			N88ZL						



Council of Europe

Parliamentary Assembly

The President

Strasbourg, 29 November 2005

Dear Chairperson,

I write following the meeting of the Committee of Ministers in Strasbourg on 16-17 November 2005, which I attended.

I was particularly disappointed by the absence of so many ministerial level representatives from the meeting, this being especially noticeable in the case of EU member states. In total, fifteen member States – almost a third of the membership – were not represented at ministerial level. Two more were represented at ministerial level only during the informal 'fireside chat' on the evening of 16 November at the Secretary General's residence, but not during the formal session the following day.

I must inform you that your own country was amongst those for whom no minister attended. The Committee of Ministers, like the Assembly, is a unique forum for real political dialogue, and all member States should ensure that it is used effectively to discuss topical political issues at the highest possible level.

I would ask you to raise this important matter in your national parliament and to address a question on the matter directly to your government.

Yours sincerely,



René van der Linden

Mrs Hanne SEVERINSEN
Chairperson of the Danish Delegation
to the Parliamentary Assembly
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KOPI



Udenrigsminister Per Stig Møller
Udenrigsministeriet
Asiatisk Plads 2
1448 København K

Christiansborg, den 12. december 2005

HS/mm

Kære Per

Europarådets Præsident René van der Linden har sendt mig vedlagte brev, hvor han klager sin nød over, at EU-Udenrigsministrene ikke deltager i Committee of Ministers.

Det er med til at skabe en ond cirkel af stadig mindre og mindre betydningsfuldhed, og det fører i sidste ende til, at de øvrige landes ministre heller ikke kommer. Europarådet kunne ellers være dialogforum for de, der er med i EU og det øvrige Europa, ikke mindst Rusland, som det ellers er svært i øjeblikket at komme i dialog med.

Kan du gøre noget for at bryde isen? Du kender jo Europarådet modsat en del af dine kolleger.

Jeg ved, at du har mange rejser og det er svært at få tid til alt, men nu prøver jeg altså alligevel at appellere til dig, som en af de få, der ved, at det er synd, hvis Europarådet ender med at gå til i regeringernes ligegyldighed.

Mange hilsner

Hanne Severinsen

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COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

**Resolution ResCMN(2005)9
on the implementation of the Framework Convention for the Protection of National Minorities
by Denmark**

*(Adopted by the Committee of Ministers on 14 December 2005
at the 951st meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as "the Framework Convention");

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;¹

Having regard to the instrument of ratification submitted by Denmark on 22 September 1997;

Recalling that the Government of Denmark transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 14 May 2004;

Having examined the Advisory Committee's second opinion on Denmark, adopted on 9 December 2004, and the written comments of the Government of Denmark, dated 3 May 2005;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Denmark:

a) Positive developments

Denmark has made welcome progress in developing anti-discrimination legislation, notably in relation to the passing of the Act on Ethnic Equal Treatment, which provides additional safeguards against discrimination in a number of societal settings.

A further positive development has been the establishment of the Danish Institute for Human Rights together with its Complaints Committee for processing and providing opinions on complaints of discrimination.

Denmark has established good practice in terms of the consultative structure with the German minority in the form of the Secretariat of the German Minority in Copenhagen and the Liaison Committee concerning the German minority.

The system of German minority language education through the German minority schools and day care facilities in South Jutland is to be welcomed.

The Copenhagen-Born Declarations have been a central pillar for developing the rights of persons belonging to the German minority in Denmark, and their importance was attested at 50th Anniversary of the Declarations in March 2005.

b) Issues of concern

There are shortcomings as regards consultation with representatives of civil society and representatives of different ethnic and religious groups, including in relation to the monitoring under the Framework Convention.

The restrictive personal scope of application of the Framework Convention by the Danish authorities continues to be of concern.

A seam of intolerance within Danish society is noted, *inter alia*, in the political arena as well as in certain media. There are concerns that legislation, such as the reform of the Aliens Act, and policy, such as the Government's policy towards integration, may contribute to a climate of hostility towards different ethnic and religious groups.

Concern remains about the equality of education for Roma children taught separately in a class for Roma children with high rates of absenteeism.

The privileged funding of the Danish National Church raises issues of equality of treatment with other religions. The registration of names with the Danish National Church raises issues of conscience for persons not belonging to the Danish National Church.

There are few possibilities for the use of German in Danish television or radio broadcasting, or for the use of German with the local administrative authorities.

The culture, history, language and religion of the German minority and other ethnic and religious groups need to be better reflected in the curriculum and in the textbooks used in schools.

There is a need to give special attention to the impact that the implementation of the administrative reforms may have on persons belonging to the German minority, notably in terms of political representation at the municipal and regional levels and as concerns the system of German minority schools and day care facilities.

c) Recommendations

In addition to the measures to be taken to implement the detailed recommendations contained in sections I and II of the opinion of the Advisory Committee, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- Consult more widely with representatives of civil society and representatives of different ethnic and religious groups concerning the implementation of the Framework Convention.
- Act upon manifestations of intolerance and xenophobia, including in the political arena, and counter these phenomena with the tools available.
- Address criticisms of the Aliens legislation and the Government's integration strategy in order to further promote tolerance and ensure that issues of discrimination are tackled.
- Find alternative solutions for the Roma children who remain in a separate Roma class in order to guarantee equal education.
- Review the situation of the privileged funding of the Danish National Church and the system of registration of names by the Danish National Church.
- Examine how further support can be provided to local radio and televisions broadcasting for the German minority.
- Examine, with those concerned, how to better reflect the culture, history, language and religion of persons belonging to the German minority and other ethnic and religious groups in the curriculum and textbooks.
- Ensure that the implementation of administrative reforms does not have an adverse impact on the effective participation of the German minority at the municipal and regional levels or on the system of German minority schools and day care facilities.

Note ¹ In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: "Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour."

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Related Documents

Meetings

951st meeting of the Ministers' Deputies / 14 December 2005

Other documents

CM/Del/Dec(2005)951/4.2aE / 19 December 2005 