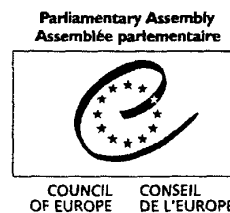


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REPORT

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ADDENDUM 1

**Current affairs debate: alleged secret detentions
in Council of Europe member states**

The following texts were submitted for inclusion in the official report by members who were present in the Chamber but were prevented by lack of time from delivering them.

Mr RUŽIĆ (*Serbia and Montenegro*) - Dear Colleagues, I would like to begin my address by one of the recent statements of the esteemed rapporteur of the Parliamentary Assembly of the Council of Europe concerning this crucial issue which touches on the very essence of the Council of Europe experience and our common value system. Mr Marty said: "Since two, three years, the countries know what is happening. There are countries that have collaborated actively, and there are others who have tolerated."

Personally, I come from the country that neither collaborated nor tolerated these acts of brutal violation of human rights. However, according to very relevant sources, in one part of the territory of the country I come from, which is under international administration in accordance with UN Security Council Resolution 1244, there were violations of human rights in Camp Bondsteel in Kosovo and Metohija. This camp was mentioned by Mr Gil Robles, Council of Europe Human Rights Commissioner, and the former ombudsman for Kosovo and Metohija, Mr Marek Nowicki, as being a replica of the notorious Guantánamo detention centre. I would like to point out that Serbia and Montenegro ratified the European Convention on Human Rights (ECHR) and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and incorporated them in its legal system.

The main issue here is: which government in the world bears responsibility for the violation of human rights in Camp Bondsteel, in Kosovo and Metohija, an integral part of Serbia and Montenegro?

We welcome with great pleasure the request for information made by Secretary General Terry Davis to all member countries, asking for information on the level of the practical implementation of these conventions, as well as his demand for unhindered access by Council of Europe to the Kfor and NATO controlled detention centre in Kosovo and Metohija.

I would like to believe that political instability in Kosovo and Metohija will not be prolonged and that ethnic cleansing attempts, such as those of March 2004, will not be repeated by some extremist representatives of the majority population, given that they are taught about democracy, the rule of law and democratic values predominantly by those who understand respect for human rights and freedoms in the way that is applied in Camp Bondsteel. There should be no reason for justifying a double standards policy. The rights and commitments of all countries must be the same, and this principle should apply to the United States as well.

I would like to underline, indeed, that Serbia and Montenegro absolutely supports the combat against international terrorism, but that it is also deeply aware of the necessity of taking care not to restore shortcuts that can only worsen the situation and aggravate and encourage some other form of local or regional terrorism. This is all the more the case since experience teaches us that the differences and limits between these forms of terrorism are easily deleted and that they actually make one interrelated system.

Mr ØSTERGAARD (*Denmark*) - I wish to address some of the point raised by earlier speakers in this debate.

Several speakers have displayed distrust in the existence of secret detention centers in an "overcrowded Europe". To this my response is: Let's get serious. The memorandum put forward by our rapporteur, Mr Marty, clearly indicates that alleged incidents in the most prominent cases are meant to have taken place in locations that are not secret at all at Aviano airbase in Italy and Ramstein airbase in Germany, for example. The relevant issue is not where these things happened, but what happened in these well-known locations and whether it was within the rule of international law and commitments.

One speaker asked rhetorically whether members could honestly say that if lives could be saved we would not resort to these extreme measures in order to prevent terrorists from taking the lives of innocent citizens in our countries. To this, my response is the same: let's get serious.

The rendition of Abu Omar in Italy effectively destroyed an ongoing and might I add – legal - attempt to pursue and prosecute a presumed terrorist network, in order to do exactly the same thing: prevent the loss of lives.

The inquiry into these matters is not anti-American. It is not anti the war on terror. This is indeed a test of the commitment of the member states of the Council of Europe. A real-time test – when the going has got tough. Luckily, in much of the COE region, human rights violations are not part of everyday life. But the true test of the human rights commitments is exactly when circumstances make violations appealing. This is why we are testing ourselves today - not the American Government, not the CIA.

Therefore, dear colleagues, the obligation lies with us to ensure that all doors are opened to the rapporteur and other representatives from organisations investigating the matter. The obligation lies with us furthermore to go home and actively ensure that we get from each and every government in the Council of Europe member states, a diligent answer to the Article 52 inquiry by the Secretary General, who has asked governments to reply by no later than 21 February to his letter in regard to cruel, inhumane and degrading treatment in member states and legal measures to prevent it. Let us show the world and less determined nations that we – as the people's representatives – will ensure that light is shed on all aspects of these activities, and that truth will have its day.

Ms McCafferty (*United Kingdom*) - I am sure that I speak for everyone in this chamber when I say that the practice of extraordinary rendition should not be used by any country as part of their security and defence agenda, because, the practice, of transferring an individual to a foreign state, in such circumstances makes it more likely than not, that that individual will be subject to torture or cruel, inhuman or degrading treatment.

It has been alleged that the United States has carried out extraordinary renditions on many occasions, with US agents seeking to fly suspects to locations where it is known that they may be tortured, hoping to gain useful information, as a result of such torture.

In the UK, it is alleged that my government has provided logistical support to US flights as they transport individuals to and from third countries, such as Egypt, Jordan and Syria. In addition, the UK has been accused of using information that has been gained as a result of such practices.

A great many of my colleagues share my concern on this issue. Indeed, an all-party parliamentary group on extraordinary rendition has already been set up and counts over 50MPs, among its members. The group has been asking the government extremely searching questions about any part it has had to play in assisting extraordinary renditions.

As practicing democracies, we should be opposed to torture of suspects, under all circumstances. A fundamental principle of our democracy is the doctrine of human rights and upholding the international rule of law. As such, governments should keep detailed records on all flights and passengers in and out of their country. The process of transferring suspects between countries and through countries that provide logistical support should be both accountable and transparent. It is clear from this controversy that all governments need to be vigilant of possible human rights breaches, even if they are only offering logistical support.

I welcome the Council of Europe and European Parliament enquiries into the practice of extraordinary rendition and I call upon all fellow Parliamentarians from across Europe to pressure their governments to ensure that all flights in and out of their countries are not aiding and abetting this abhorrent, practice of extraordinary rendition.

We must use all the means at our disposal – parliamentary questions, private member debates and as in the UK, the formation of an all-party group on this very important issue, which goes to the very heart of the "*raison d'être*" of the Council of Europe.

