Resolution on alleged transportation and illegal detention of prisoners in European countries by the CIA

2013/2702(RSP) - 10/10/2013 - Text adopted by Parliament, single reading

The European Parliament adopted by 286 votes to 180, with 114 abstentions a resolution on alleged transportation and illegal detention of prisoners in European countries by the CIA. The resolution was tabled by the Greens/EFA, S&D, ALDE and GUE/NGL groups.

It deeply **deplored the failure to implement the recommendations** contained in its resolution of 11 September 2012, notably by the Council, the Commission, the governments of the Member States, the candidate states and the associated countries, NATO, and the United States authorities, especially in the light of the serious fundamental rights violations suffered by the victims of the CIA programmes. Members considered that the climate of impunity regarding the CIA programmes has enabled the continuation of fundamental rights violations in the counter-terrorism policies of the EU and the US, as further revealed by the mass surveillance programmes of the US National Security Agency and surveillance bodies in various Member States, which are currently being investigated by Parliament.

Accountability process in the Member States: Parliament asked Member States to investigate whether operations have taken place whereby people have been held under the CIA programme in secret facilities on their territory. It made specific requests addressed to the following Member States: France, Italy, Lithuania, Poland, Romania, the UK, Finland and Sweden.

Response of the EU institutions: Parliament professed itself highly disappointed by the Commission's refusal to respond in substance to Parliament's recommendations, and it reiterated its specific recommendations to the Commission from its previous resolution. It also reiterated its specific recommendations to the Council, and called on both institutions to include, in their respective multiannual programmes succeeding the Stockholm Programme, specific measures to ensure the rule of law and accountability for fundamental rights violations, especially by intelligence services and law enforcement authorities.

Members recalled that it is essential, in order to ensure Parliament's credibility, to **substantially reinforce its rights of inquiry for investigating fundamental rights violations in the EU,** which should include full power to hear under oath the people involved, including government ministers. They called on the next Parliament (2014-2019) to continue to implement the mandate given by the Temporary Committee and consequently to ensure that its recommendations were followed up.

Democratic scrutiny: Parliament stated that it expected its inquiry into the US National Security Agency surveillance programme and surveillance bodies in various Member States to propose measures for effective democratic parliamentary oversight of intelligence services, considering that democratic scrutiny of those bodies and their activities through appropriate internal, executive, independent judicial and parliamentary oversight was essential.

Guantanamo Bay: Parliament called on the US Government to cooperate with all requests from EU Member States for information or extradition in connection with the CIA programme. It urged the US to stop using draconian protective orders which prevented lawyers acting for Guantánamo Bay detainees from disclosing information regarding any detail of their secret detention in Europe. Member States were asked to step up their efforts to resettle non-European detainees released from Guantánamo who cannot be

repatriated to their home states because they are under threat of death, torture or cruel and inhumane treatment.