Decision setting up a temporary committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners

2005/2667(RSO) - 18/01/2006 - Text adopted by Parliament, topical subjects

The European Parliament adopted a resolution on extraordinary renditions. This refers to the presumed use of European countries by the CIA for the transportation and illegal detention of prisoners. Parliament stated that there is a need for a temporary committee of the European Parliament to accompany the Council of Europe's enquiry, particularly as Member States are implicated. It decided to set up a temporary committee composed of 46 Members of the European Parliament with the following remit:

a) to collect and analyse information to find out whether:

- the CIA or other US agents or intelligence services of other third countries have carried out abductions, "extraordinary rendition", detention at secret sites, detention incommunicado or torture or other cruel, inhuman or degrading treatment of prisoners on the territory of the EU, including accession and candidate countries, or have used that territory to those ends, for example through flights;

- such actions, allegedly carried out in the territory of the EU in the framework of the fight against terrorism, could be considered a violation of Article 6 of the Treaty on European Union, Articles 2, 3, 5 and 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Charter of Fundamental Rights, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the EU-US agreements on extradition and on mutual legal assistance and other international treaties and agreements concluded by the European Union/Community and its Member States, including the North Atlantic Treaty and its related agreements on the status of forces and the Convention on International Civil Aviation;

- citizens of the EU or the candidate countries, or any other person entitled to protection from, or otherwise under the jurisdiction of, the EU, the Member States or the candidate countries have been among those involved in or subjected to abductions, "extraordinary rendition" operations, detention at secret sites, detention incommunicado or torture or other cruel, inhuman or degrading treatment in the territory of the European Union or elsewhere;

- Member States, public officials, persons acting in an official capacity or EU institutions have been involved or complicit in illegal deprivation of liberty of individuals, including abduction, rendition, transfer, detention or torture, either by act or omission;

b) to submit to the plenary any recommendation that the committee deems necessary in this matter, notably concerning the political, legal and administrative conclusions to be drawn at European level as well as possible consequences for EU relations with third countries.

The temporary committee will liaise and cooperate as closely as possible with the Council of Europe and the United Nations High Commissioner for Human Rights, as well as with national parliaments. It will present an interim report to Parliament within four months after it has started its work, with detailed proposals on how it will continue its work.