Resolution on the situation of prisoners at Guantanamo

2006/2572(RSP) - 13/06/2006 - Text adopted by Parliament, topical subjects

In adopting a joint resolution by a large majority on the situation of prisoners at Guantánamo, the European Parliament reiterated their call on the US Administration to close the Guantánamo Bay detention facility and insisted that every prisoner should be treated in accordance with international humanitarian law. If charged, each prisoner should be tried without delay in a fair and public hearing by a competent, independent and impartial court of law or international tribunal.

Parliament condemned all forms of torture and called on the US to implement the recommendations of the UN Committee against Torture. The US must ensure that 'special interrogation techniques', including methods involving sexual humiliation, 'water boarding', 'short shackling' and using dogs to induce fear, that constitute torture or cruel, inhuman or degrading treatment, were not used. Parliament called on the US Government to grant unimpeded access to the detainees at Guantánamo Bay for the respective UN bodies and international human rights organisations. The International Committee of the Red Cross had been the only international organisation to have official access to the detainees.

Whilst the US military had made significant efforts to ensure that detainees are held in better conditions than before, Parliament felt that that improvements in detention conditions did not tackle the real problem, which is a violation of the rule of law. It noted that the USA defined the fight against terror as 'war', yet did not acknowledge the rights of detainees, which were based upon the Geneva Conventions. Parliament took the view that, despite the particular nature of the fight against terror, international law must be applied. It referred to the construction of the new camp 6, which is to be opened in August 2006 and will feature the most modern equipment but no window. Parliament felt this did not indicate the likelihood of an early closure of the site.

It stressed that contemporary terrorism, particularly global terrorism directed against states and their populations, posed a threat to the basic and fundamental human rights our societies enjoyed. The fight against terrorism, which is one of the priorities of the EU and the US, could be waged at the expense of established basic, shared values such as respect for human rights and the rule of law. Disregarding international law in the proclaimed 'war against terror' severely weakened credibility and power in the fight against terror.

Parliament called on the EU to have a common approach for the EU-US Summit and to institute a joint action calling on the US Government to close the Guantánamo Bay detention centre and act in accordance with international law regarding the treatment of detainees.

Following the advice of the delegation of Members of the European Parliament that recently visited Guantánamo, Parliament suggested that an ad hoc delegation be sent to Guantánamo when Parliament considered it necessary.