

# Council of Europe report reveals European collusion with US torture flights

By Robert Stevens  
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The Swiss senator Dick Marty has issued a preliminary report on behalf of the Council of Europe, which suggests that European governments were almost certainly aware of secret CIA prisoner flights via European airspace or airports.

The Council of Europe has 46 members, 21 of them from Central and Eastern Europe, and is based in Strasbourg, France. The body oversees the European Court of Human Rights.

The report, "Alleged Secret Detentions in Council of Europe Member States," by the Committee on Legal Affairs and Human Rights, collates information from a number of EU states regarding CIA flights and alleged secret detention centres.

Marty presented his interim report on January 24. He raises some of the cases of "rendition" which are currently in the public domain and states that hundreds of people may well have suffered the same fate over the past few years.

The report concludes, "Hundreds of CIA-chartered flights have passed through numerous European countries. It is highly unlikely that European governments, or at least their intelligence services, were unaware."

A rendition, including the "extraordinary rendition," refers to the abduction of suspected terrorists in another country and their transport to third countries where they may have been tortured. At the news conference in which he presented his initial report, Marty used strong language to condemn the practise of rendition. He described renditions as "criminal acts" which "run counter to the laws that prevail in all civilised countries today."

He added that "there were people who were kidnapped and transferred with no rights. There are camps in Afghanistan and Guantánamo Bay outside any legal system. Others have been taken in Europe and rendered to other countries for unacceptable treatment."

Information that is now coming to light, some of which is presented in the report, clearly points to the silence of European governments as the product of their support of the policy of rendition.

Marty illustrated the extreme barbarity of renditions by highlighting the case of Abu Omar.

Omar was kidnapped on a street in Milan, Italy in February 2003 by two men. During his abduction he was sprayed in the face with chemicals and then bundled into a van. Nobody knows the whereabouts of Omar to this day. Following his seizure, Italian officials in Milan stated that they believed he had been flown to Egypt and then tortured.

In the report Marty refers to the case of Omar as a part of "a great deal of coherent, convergent evidence pointing to the existence of a system of 'relocation' or 'outsourcing' of torture."

Prior to the abduction of Omar, the Italian government had him

under surveillance regarding a possible terrorist network. The report states that the CIA kidnapping had "completely destroyed" this investigation. As a result of the actions of the CIA, the Italian authorities have issued 22 arrest warrants for American agents.

However, Marty points to the probable collusion of the Italian state in the abduction of Omar. He asks, "Is it conceivable or possible that an operation of that kind, with deployment of resources on that scale in a friendly country that was an ally (being a member of the coalition in Iraq), was carried out without the national authorities—or at least Italian opposite numbers—being informed?"

He adds, "A further interesting point is that the Italian justice minister has so far not forwarded to the American authorities the Milan judicial authorities' requests for assistance and extradition."

The Omar case may also involve Spain. The report states that "a Spanish judge is enquiring into whether the CIA used Son Sant Joan airport in Majorca as a base for transport of Muslim suspects, as announced by the Spanish minister of internal affairs, José Antonio Alonso, on 15 November 2005. The same aircraft as transported Abu Omar landed at least three times in Spain (and in other European countries)."

The report cites numerous alleged instances of renditions carried out by the CIA in various European Union states.

The report points out the many flights chartered by the CIA that landed at German airports. In 2002 and 2003, the German air traffic safety office recorded that 137 and 146 aircraft landed respectively. It adds, "However, the office was unable to provide the members of parliament with information as to the identity of any passengers."

German members of parliament have agreed to set up a "committee of enquiry to report back as soon as possible on the role of the intelligence services (BND) in Baghdad and on certain aspects of anti-terrorist action (including allegations of flights and over-flights of German territory by CIA-chartered aircraft)."

Marty states, "Discussions are still under way as there seem to be misgivings in some political circles about setting up a committee that might undermine the operational capacity of the BND."

In Belgium the government has launched "an enquiry into flights and over-flights by CIA-chartered aircraft. So far, no stopover at a military airport has been discovered."

In relation to Bosnia and Herzegovina, Marty states that "their American lawyer has sent me a detailed account of the case of six Bosnians abducted by American agents on Bosnian soil and taken to Guantánamo Bay, despite a Bosnia and Herzegovina Federal Supreme Court judgment ordering their release after police investigation had failed to uncover the slightest evidence against them."

In addition, "The Danish government has asked the American

authorities for explanations about CIA-chartered flights for alleged transport of prisoners over Danish territory.

“The Finnish security services have reportedly asked the CIA for information about any passengers aboard a cargo plane which made a stop at Helsinki in 2003.

“The French foreign affairs ministry has stated that it is checking with the civil aviation authorities on two flights which made stops in French territory and had apparently been chartered by the CIA.”

Regarding his own country, Marty includes the case of José Padilla, a US citizen who was arrested when he arrived in Chicago via Switzerland. The report establishes that Padilla is now effectively a “non-person”:

“Since then Padilla has been in detention without any detailed charges being brought against him and is considered an ‘enemy combatant.’ It was only quite recently that he was handed over to the civil justice authorities to avoid the Supreme Court’s ordering his release.”

Marty notes, “Visiting Switzerland in June 2002, the United States [attorney general], John Ashcroft, warmly congratulated the Swiss authorities on the valuable part they had played in Padilla’s arrest.”

“However, the case has sparked controversy in Switzerland, to such an extent that a parliamentary committee has begun an enquiry, for it would seem that the police cooperated closely with the American services without notifying the competent judge, or at any rate informed him after the event, when Padilla had already been arrested in the United States”

He explains, “My request to consult the parliamentary committee’s report was refused on the justice ministry’s advice, on the ground that the file contained material ‘concerning third parties and potentially harmful to relations with another country.’”

Possible CIA flights landing in Switzerland are also highlighted. Referring to press reports from June 2005, the report states, “On a visit to the United States in late June 2005, the Swiss foreign affairs minister asked his opposite number for explanations. To date, and despite a repeat request to the United States ambassador in Bern in December, no reply has been forthcoming from the American authorities.”

Referring to an article in the *Washington Post* of November 2 last year alleging a network of secret CIA-organised detention centres around the world, Marty addresses whether any of these facilities were located in “central and east European democracies”:

“Numerous aircraft chartered by the CIA allegedly flew over, to and from European territory (benefiting, therefore, from airport facilities in Council of Europe member states) in order to transport suspects, completely illegally, to these secret centres.”

However, obtaining information on secret prisons in Europe is proving a difficult task. Under section C of the report entitled “Secret detention centres,” Marty states, “At this stage of the investigations, there is no formal, irrefutable evidence of the existence of secret CIA detention centres in Romania, Poland or any other country. Nevertheless, there are many indications from various sources which must be considered reliable, justifying the continuation of the analytical and investigative work.”

This point has been highlighted by sections of the media to claim that such facilities do not exist.

However, the report points to the importance of the recent revelation that the Swiss intelligence services intercepted a message from within Egyptian government circles referring to the existence of a number of CIA-organised secret detention squads located in a number of

countries.

The report says of this development: “The Egyptian message intercepted by the Swiss services, the authenticity of which is no longer in doubt, contains nothing very new, but it does nonetheless point to a different source regarding the existence of these centres. The Egyptian services have a reputation for efficiency, and there is a great deal of evidence to the effect that they have engaged in very active cooperation in carrying out these renditions.”

Some details regarding these secret prisons are becoming available. In the section of the report on Greece, the document states, “In reply to a question from a European Parliament member, Greece is looking into the alleged existence of a secret prison at Souda naval base in Crete where persons suspected of involvement in the attacks on the London Underground were allegedly subjected to violent interrogation by British agents.”

The report highlights the case of the US-run KFOR detention centre (Camp Bondsteel) in Kosovo. It acknowledges that the camp is not “secret,” but there have been longstanding concerns about what takes place there:

“At the hearing with our committee on 13 December 2005 the Commissioner for Human Rights repeated that the KFOR detention centre had ‘many parallels with Guantánamo: prisoners arrested without recourse to any kind of judicial procedure or legal representation.’”

Camp Bondsteel is not open for inspection by the Council of Europe’s Committee for the Prevention of Torture (CPT). This is despite the CPT legally having the right to inspect “all places of detention in States Parties to the European Convention for the Prevention of Torture (including Serbia and Montenegro), and which has not hitherto obtained authorisation to visit.”

Marty cites a number of former US secret service personnel who have provided information on the actual practises of rendition. Their comments paint a picture of a secret torture regime.

Michael Scheuer, one of the architects of the rendition system, is quoted in a March 2005 interview saying that he knew that suspects were tortured in Egypt and that it was “very convenient” finding “someone else to do your dirty work.”

Former CIA agent Robert Baer said in a 2004 interview, “If you want a serious interrogation, you send a prisoner to Jordan. If you want them to be tortured, you send them to Syria. If you want someone to disappear—never to see them again—you send them to Egypt.”

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