

# European governments cover up illegal CIA abductions

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Alleged terror suspects have been kidnapped in the European Union (EU) by the CIA and taken to third countries where they have been subjected to torture. The European governments knew of these illegal actions and were even involved in them.

This is the conclusion reached in the first interim report of the subcommittee of the European parliament examining the illegal activities of the CIA within Europe. Dick Marty, the special investigator of the Council of Europe, reached a similar conclusion in February. Forty-six European states belong to the Council of Europe; the European parliament includes representatives of the EU's 25 member states.

The European parliament has been examining the extent of possible CIA abductions and transportation to secret prisons for four months and now has evidence of more than a thousand unregistered flights that the CIA has carried out in Europe since 2001.

The interim report arrives at the conclusion, "In several cases, the CIA was clearly responsible for the illegal abduction and imprisonment of supposed terrorists within the territory of the member states, as well as extraordinary transfers, and that in some cases this involved European citizens."

These extraordinary transfers, or "renditions," are characterised as clearly breaching international law. As the report notes, they are aimed at ensuring "that suspects are not submitted to legal proceedings." The CIA has "secretly kidnapped, imprisoned and transferred terror suspects," the report finds. They were despatched to other countries (including Egypt, Jordan, Syria and Afghanistan), "which, as the government of the United States admits, practice torture."

The author of the report, the Italian Giovanni Fava (a member of the PSE social democratic parliamentary grouping in the European parliament), commented that it was not a few "individual cases, but a widespread practice involving the majority of the European states." Among the issues raised, he referred to the fact that, remarkably, it was always the same agents who sat in the CIA airplanes and that the circuitous routes flown by the planes alone should have aroused suspicion.

In convoluted formulations, the report acknowledges the participation and connivance of the European governments. Fava regards it as "improbable, within the framework of the extraordinary transfers, that some European governments did not have any knowledge of the activities that took place on their territory and in their air space or at their airports."

In particular, the Swedish government is criticised for handing over the Egyptian citizens Mohammad Al Zary and Ahmed Agiza to CIA agents, although "it knew the risks of tortures and cruel, inhuman or

degrading treatments" that threatened the two in Egypt.

According to the report, the abduction of the Egyptian citizen Abu Omar by CIA agents in Milan in February 2003 could hardly have been organised and carried out "without the previous knowledge of the Italian authorities or security agencies."

The report also mentions the detainment of six Bosnian men of Algerian origin, who were handed over to the CIA in January 2002 by the Bosnian authorities, and who since that time have been held in Guantánamo. This case also highlights the role of the UN occupation force SFOR, which is under NATO command, and reveals the early collusion of the German government.

According to a statement by the US attorney Stephen Olesky, who represents the six Algerians, they were arrested by Bosnian security forces in October 2001 as terror suspects. In January 2002, Bosnia Herzegovina's highest court of justice acquitted them for lack of evidence, and the judges ordered their release. However, on the night of January 17, the six were transferred to US soldiers belonging to SFOR, although the court had expressly forbidden that four of those acquitted be handed over to the US authorities.

Acting illegally and arbitrarily, the Bosnian authorities rescinded the men's nationality, in order to hand them over to the US security forces. The now-stateless men were portrayed as suspects who were allegedly planning an attack on US facilities in Bosnia Herzegovina.

The illegal transfer to the US security forces obviously happened under massive pressure from the Bush administration. Olesky told the committee hearing: "US officials informed the Bosnian government that American assistance for Bosnia would be withdrawn if the six men were not arrested." Olesky is convinced that the transfer, illegal under Bosnian and international law, was ordered at the highest levels in the Bosnian government.

What remains unclear, however, is the role the SFOR troops played in the transfer. It is worth noting that Paddy Ashdown, since 2002 the EU High Representative in Bosnia Herzegovina, did nothing to prevent the illegal transfer and has not responded to the efforts of the lawyers of the six men to raise the case.

Six months later, in summer 2003, German Bundeswehr (armed forces) troops stationed in Bosnia became involved in the case. Against regulations, German soldiers disguised themselves as journalists in order to gather intelligence. They visited family members of the six men and were given access to court documents.

Although the German press has reported the subterfuge employed by the Bundeswehr, the explosive results of their investigations has received scant mention. A far greater scandal is that this elicited no reaction from the German government.

A Bundeswehr captain wrote a report on the detainment of the six

men, which was obtained by the ARD television station. According to this report, the investigation confirmed the suspicion “that at least some of the ‘six’ suffered an injustice.” Their “possibly unjustified arrest” and “highly dubious deportation” means the information gained should “be submitted to the appropriate specialists at the German embassy.”

The report was eventually presented to the Ministry of Defence in Berlin, which means that the government already knew in July 2003, six months before the abduction of Khaled Al Masri, who has German and Lebanese citizenship, of the illegal activities of the US in Europe.

Al Masri had been kidnapped by the CIA in Macedonia at the end of 2003 and transferred to Afghanistan, where he was tortured. The Social Democratic Party-Green Party coalition government then in power claimed that it only found out about this afterwards. Now the Ministry of Defence is denying knowledge of the report by the German SFOR troops about the case of the six Algerians. The ministry told the press that it could not find the report in the archives.

In the meantime, some photos contained in the report have emerged, but the important associated documentation is still said to have disappeared. In the parliamentary defence subcommittee, where the case has also been discussed, the undersecretary of state responsible, Friedbert Pflüger (Christian Democratic Union), held back important documents for more than one month, only handing them over when this was demanded.

The government is behaving so nervously because the six men were flown to Guantánamo via the US military base in Ramstein, Germany. The recent exposures show ever more clearly that the German government had early knowledge of the illegal CIA activities and is now seeking to sweep its complicity in these human rights violations under the carpet.

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The British government is also trying to deceive the public. Confronted with the European parliament’s interim report, the recently demoted British foreign minister Jack Straw told the *Guardian* he had no proof that the US had used British air space or airports to transport prisoners. He says he is convinced that Washington would have informed him about such plans.

However, the former British ambassador to Uzbekistan, Craig Murray, has provided the committee with proof that the British secret service MI6 has cooperated closely with the CIA for years and that a constant information exchange takes place. He also submitted a document by Straw’s former legal advisor, Michael Wood, advocating the view that information obtained under torture could legally be used, as long as the British had not carried out the torture but merely received the information via a third party. This position was then adopted by the British government, in order to utilise confessions that had been extracted in Uzbekistan under torture.

The extensive material submitted so far by the committee permits only one conclusion: not only did the US systematically breach international human rights conventions, but the European governments were likewise guilty of serious offences against the United Nations anti-torture convention and the European human rights convention, either for keeping quiet, for doing nothing or through their open complicity with the CIA.

In the next months, the committee wants to investigate whether secret CIA prisons also exist in Europe. Giovanni Fava told the press conference: “If we take into account the number of CIA flights, the conclusion could be drawn that it was also about transferring people to

prisons within Europe.”

This view is also supported by a report in the news magazine *Stern* at the beginning of April, according to which the CIA has been questioning alleged terror suspects at a place near the Polish town of Kiejkuty. The facility is thought to be a training centre for the Polish secret service, which is shared by the US. There is said to be a special zone within the camp, to which the Polish secret service does not have access. *Stern* writes, “Small vehicles with darkened windows were parked on the base—the identical models which workers at Szymany airport had already reported being seen when CIA planes landed.”

The special committee of the European parliament is a toothless paper tiger within the Brussels bureaucracy. The European governments face no direct consequences as a result of the report. The committee can neither force governments to hand over files for its inspection nor demand government or secret service staff appear to answer questions. The European parliament can only recommend sanctions be taken against individual member states, since only the European Union Commission or at least one third of member countries can initiate action against individual governments.

Both the EU anti-terror coordinator, Gijs de Vries, and Javier Solana, high representative for the common foreign and security policy, made certain placatory noises following publication of the interim report.

De Vries saw “no proof” of the illegal transportation of prisoner by the CIA in Europe. Asked about the connivance of European governments, he answered, “I believe that is not yet proven.” He did admit that the European intelligence services and the CIA enjoyed “mutually beneficial cooperation,” but this was not within the competence of the European Union.

Javier Solana, who came before the committee on May 2, took a similar position. He said, “I have no information whatsoever that tells me with certainty that any of the accusations, allegations, rumours that have taken place in the last period of time are true. Also, I have no authority to ask the [member] countries how they deal with these questions, and they have no obligation to answer me.”

While the Brussels authorities are quite willing to interfere in “domestic affairs” in order to defend the interests of the international financial investors, corporations and banks, they claim to have no authority when it comes to human rights. This feigned disinterest is glaringly contradicted by the fact that the field of justice and internal affairs is one of the areas where the European Union member states are constantly extending their collaboration.



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