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## REPORT

on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners  
(2006/2200(INI))Temporary Committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners

Rapporteur: Giovanni Claudio Fava

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### **on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners (2006/2200(INI))**

*The European Parliament,*

- having regard to its resolution of 15 December 2005 on the presumed use of European countries for the transportation and illegal detention of prisoners by the CIA<sup>1</sup>,
- having regard to its decision of 18 January 2006 setting up a Temporary Committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners<sup>2</sup>,
- having regard to its resolution of 6 July 2006 on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners, adopted midway through the work of the Temporary Committee<sup>3</sup>,
- having regard to the delegations which the Temporary Committee sent to the Former Yugoslav Republic of Macedonia, the United States, Germany, the United Kingdom, Romania, Poland and Portugal,
- having regard to the hearings, numbering no fewer than 130, held by the Temporary Committee in the course of its meetings, delegation missions and confidential interviews,
- having regard to all the written contributions received by the Temporary Committee or to which it has had access, particularly the confidential documents forwarded to it (in particular by the European Organisation for the Safety of Air Navigation (Eurocontrol) and the German Government or which it has obtained from various sources,
- having regard to its resolution of 30 November 2006 on the progress made in the EU towards the Area of freedom, security and justice (AFSJ) (Articles 2 and 39 of the EU Treaty)<sup>4</sup>, notably its paragraph 3,
- having regard to its resolution of 13 June 2006 on the situation of prisoners at Guantánamo<sup>5</sup>,
- having regard to Rule 175 of its Rules of Procedure,
- having regard to the report of the Temporary Committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners (A6-0000/2006),

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<sup>1</sup> *Texts Adopted*, P6\_TA(2005)0529.

<sup>2</sup> *Texts Adopted*, P6\_TA(2006)0012.

<sup>3</sup> *Texts Adopted*, P6\_TA(2006)0316.

<sup>4</sup> *Texts Adopted*, P6\_TA-PROV(2006)0525.

<sup>5</sup> *Texts Adopted*, P6\_TA(2006)0254.

- A. whereas, in its resolution of 6 July 2006, Parliament decided that 'the Temporary Committee would continue its work for the remainder of its established twelve-month term, without prejudice to the provisions of Rule 175 of its Rules of Procedure on the possibility of extending the term',
- B. whereas, in adopting its resolution of 22 November 1990 on the Gladio affair<sup>1</sup>, it drew attention, more than 16 years ago, to the existence of clandestine operations involving intelligence services and military organisations without adequate democratic control,
- C. whereas the Member States cannot circumvent the requirements imposed on them by European Community (EC) and international law by allowing other countries' intelligence services, which are subject to less stringent legal provisions, to work on their territory; whereas, in addition, the operations of intelligence services are consistent with fundamental rights only if adequate arrangements exist for monitoring them,
- D. whereas the principle of the inviolability of human dignity is enshrined in international human rights law, notably in the preamble to the Universal Declaration of Human Rights and the preamble to and Article 10 of the International Covenant on Civil and Political Rights, and whereas that principle is guaranteed by the jurisprudence of the European Court of Human Rights; whereas this principle appears in most Member States' constitutions, as well as in Article 1 of the Charter of Fundamental Rights of the European Union<sup>2</sup> and whereas that principle should not be undermined, even for the purposes of security, in times of peace or war,
- E. whereas the principle of inviolability of human dignity underlies every other fundamental right guaranteed by international, European and national human rights instruments, in particular the right to life, the right to freedom from torture and inhuman or degrading treatment or punishment, the right to liberty and security, the right to protection in the event of removal, expulsion or extradition and the right to an effective remedy and to a fair trial,
- F. whereas extraordinary rendition and secret detention involve multiple violations of human rights, in particular violations of the right to liberty and security, the freedom from torture and cruel, inhuman or degrading treatment, the right to an effective remedy, and, in extreme cases, the right to life; whereas, in some cases, where rendition leads to secret detention, it constitutes enforced disappearance,
- G. whereas the prohibition of torture is a peremptory norm of international law (*jus cogens*) from which no derogation is possible and the obligation to protect against, investigate and sanction torture is an obligation owed by all states (*erga omnes*), as provided by Article 5 of the Universal Declaration of Human Rights, Article 7 of the International Covenant on Civil and Political Rights, Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the related case law, Article 4 of the Charter of Fundamental Rights, and national constitutions and laws; whereas specific conventions and protocols on torture and monitoring mechanisms adopted at the European and international level demonstrate the importance attached to this inviolable norm by the international community; whereas the use of diplomatic assurances is incompatible with this obligation,

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<sup>1</sup> OJ C 324, 24.12.1990, p. 201.

<sup>2</sup> OJ C 364, 18.12.2000, p. 1.

- H. whereas in democracies in which the respect for the rules of law is inherent, the fight against terrorism cannot be won by sacrificing or limiting the very principles that terrorism seeks to destroy, notably, the protection of human rights and fundamental freedoms must never be compromised; whereas terrorism can and must be fought by legal means and must be defeated while respecting international and national law,
  - I. whereas the United States (US) administration's strategy to combat terrorism has made use of pervasive instruments to monitor sensitive data relating to European citizens, such as the Passenger Names Record (PNR) agreement, and to monitor bank details through the Society for Worldwide Interbank Financial Telecommunication (Swift) network,
  - J. whereas on 6 September 2006, US President George W. Bush confirmed that the Central Intelligence Agency (CIA) was operating a secret detention programme outside the United States,
  - K. whereas President George W. Bush said that the vital information derived from the extraordinary rendition and secret detention programme had been shared with other countries and that the programme would continue, which raises the strong possibility that some European countries may have received, knowingly or unknowingly, information obtained under torture,
  - L. whereas the Temporary Committee has obtained, from a confidential source, records of the informal transatlantic meeting of European Union (EU) and North Atlantic Treaty Organisation (NATO) foreign ministers, including US Secretary of State Condoleezza Rice, of 7 December 2005, confirming that Member States had knowledge of the programme of extraordinary rendition, while all official interlocutors of the Temporary Committee provided inaccurate information on this matter,
  - M. whereas the Temporary Committee has obtained, from a confidential source, records of meetings of the Council's Working Party on Public International Law (COJUR) and Transatlantic Relations Working Party (COTRA) with senior representatives of the US Department of State during the first half of 2006 (notably on 8 February and 3 May 2006), while it was provided by the Council Presidency only with a summarised version of these documents; whereas the documents sent by the Council to Parliament concerning those meetings in answer to Parliament's specific request, were incomplete summaries of the proceedings with essential parts missing,
  - N. whereas the information on these meetings was not notified to Parliament and absolute secrecy was maintained in relation to their proceedings,
  - O. whereas, in the present resolution, 'European countries' should be understood as meaning Member States and candidate and associate countries, as outlined in the mandate of the Temporary Committee adopted on 18 January 2006,
1. Recalls that terrorism represents one of the main threats to the security of the European Union and that it must be fought with lawful and coordinated efforts by all European governments, in close collaboration with international partners and notably with the United States, along the lines of the strategy defined at United Nations (UN) level; underlines that the fight against terrorism must be fought on the basis of, and in order to

protect, our common values of democracy, the rule of law, human rights and fundamental freedoms; furthermore stresses that all the work carried out by the Temporary Committee is intended to make a contribution towards the development of clear and focused measures in the fight against terrorism, which are commonly accepted and respect national and international law;

2. Considers that after 11 September 2001, the so-called 'war on terror' -in its excesses- has produced a serious and dangerous erosion of human rights and fundamental freedoms, as noted by the outgoing UN Secretary-General Kofi Annan;
3. Is convinced that the rights of the individual and full respect for human rights contribute to security; considers it necessary that in the relationship between the need for security and the rights of individuals, human rights must always be fully respected, ensuring that suspected terrorists are tried and sentenced while due process is observed;
4. Emphasises that the positive obligation to respect, protect and promote human rights is binding, regardless of the legal status of the individual concerned, and that any discrimination among EU nationals, residents of Member States or any other person entitled to protection from, or otherwise under the jurisdiction of, the Member States must be avoided;
5. Recalls that the purpose of this resolution, based on the report of the Temporary Committee, is to determine responsibilities for the facts that it has been able to examine on the one hand and to consider ways of preventing any repetition of the abuses and violations perpetrated in connection with measures against terrorism on the other;
6. Notes the statement made by US President George W. Bush on 6 September 2006, according to whom "a small number of suspected terrorist leaders and operatives captured during the war have been held and questioned outside the United States, in a separate programme operated by the CIA" and that many of the persons who had been detained there, had subsequently been transferred to Guantánamo and it is strongly suspected that other prisoners are still held in secret places of detention; notes the report of the Federal Bureau of Investigation (FBI) of 2 January 2007 mentioning 26 testimonies of mistreatment in Guantánamo since 11 September 2001;
7. Deplores, in this context, the inability of the Council - due to the opposition of certain Member States - to adopt conclusions in response to that statement at the General Affairs and External Relations Council of 15 September 2006, and requests that the Council adopt them urgently, to dissipate any doubt as to the Member State governments' cooperation with and connivance in the extraordinary rendition and secret prisons programme in the past, present and future;
8. Calls on the Council and the Member States to issue a clear and forceful declaration calling on the US Administration to put an end to the practice of extraordinary arrests and renditions, in line with the position of Parliament;
9. Deplores the fact that the governments of European countries did not feel the need to ask the US administration for clarifications regarding the existence of secret prisons outside US territory;
10. Notes the statements by the legal adviser to the US State Department at a meeting on 3 May 2006 with representatives of the Member States meeting within the Council,

according to which, in carrying out the extraordinary rendition programme, whose existence he confirmed, the sovereignty of the countries concerned had always been fully respected; notes that this remark was subsequently confirmed at the meeting with the Temporary Committee delegation which visited Washington;

11. Thanks the former CIA agents who agreed to cooperate with the Temporary Committee, particularly at certain confidential meetings at which they confirmed that the extraordinary rendition programme had already begun during the 1990s;
12. Welcomes the announcement by the new majority established by the elections to the US Senate that it will investigate the CIA's extraordinary rendition programme; notes that this is further confirmation of the relevance of the work of the Temporary Committee;
13. Denounces the lack of cooperation of many Member States, and of the Council of the European Union towards the Temporary Committee; stresses that the behaviour of Member States, and in particular the Council and its Presidencies, has fallen far below the standard that Parliament is entitled to expect;
14. Believes that the serious lack of concrete answers to the questions raised by victims, non-governmental organisations (NGOs), the media and parliamentarians has only strengthened the validity of already well-documented allegations;
15. Stresses the serious and rigorous work undertaken by the judicial authorities of Italy, Germany and Spain concerning the allegations which fall within the remit of the Temporary Committee, and invites the judicial authorities in other Member States to act similarly on the basis of the substantial information made available by the Temporary Committee;
16. Encourages the national parliaments of European countries to continue or launch thorough investigations, in the ways they consider most appropriate and efficient, into these allegations, including by setting up parliamentary committees of inquiry;
17. Pays tribute to the world press, in particular the US journalists who were the first to disclose the abuses and breaches of human rights related to extraordinary rendition, thus demonstrating the great democratic tradition of the US press; also recognises the efforts and good work undertaken by several NGOs on these matters, in particular Statewatch, Amnesty International and Human Rights Watch;
18. Recognises that some information in this report, including the existence of secret CIA prisons, comes from official or unofficial US sources, demonstrating the vitality and self-policing inherent in the US democracy;
19. Expresses its profound gratitude to all victims who had the courage to share their very traumatic experiences with the Temporary Committee;
20. Calls on all European countries to refrain from taking any action against officials, former officials, journalists or others who, by providing testimony or other information, either to the Temporary Committee or to other investigating bodies, have helped shed light on the system of extraordinary rendition, illegal detention and the transportation of terrorism suspects;
21. Reiterates its call on the Council, as expressed in its resolution of 6 July 2006, to adopt a

common position ruling out the acceptance of mere diplomatic assurances from third countries as a basis for any legal extradition provision, where there are substantial grounds for believing that individuals would be in danger of being subjected to torture or ill-treatment;

### *Cooperation with EU institutions and international organisations*

22. Deplores the failure by the Council and its Presidency to comply with their obligations to keep Parliament fully informed of the main aspects and basic choices of the common foreign and security policy (CFSP) and of work carried out in the field of police and judicial cooperation in criminal matters pursuant to Articles 21 and 39 of the Treaty on European Union;
23. Stresses, in this context, that it is wholly unacceptable that the Council should first have concealed and then, at Parliament's request, only supplied piecemeal information on the regular discussions held with senior officials of the US Administration, asserting that this was the only available version; furthermore denounces the fact that the Council also referred to the request by the government of a third country that the information remain confidential;
24. Points out that these shortcomings of the Council implicate all Member State governments since they have collective responsibility as members of the Council;
25. Is outraged by the proposal which was to have been made by the then Council Presidency to set-up a joint "framework" with the US on standards for the rendition of terrorism suspects, as confirmed by those who took part in the meeting of the Council's Working Party on Public International Law (COJUR) and the Transatlantic Relations Working Party (COTRA) with senior representatives of the US Department of State held in Brussels on 3 May 2006;
26. Calls for the disclosure of the results of the discussions conducted with the United States, according to Gijs de Vries, on the definitions of "rendition" and "extraordinary rendition";
27. Takes note of the fact that the Secretary-General (and High Representative for the Common Foreign and Security Policy (CFSP)) of the Council of the European Union, Javier Solana, reaffirmed that Member States must ensure that any measures they take to combat terrorism comply with their obligations under international law; expresses its concern about the omissions in the statements made to the Temporary Committee by the Secretary-General, regarding the Council's discussions and knowledge of the methods used by the United States in its campaign against terrorism; deplores the fact that he was unable to supplement the evidence already in the possession of the Temporary Committee; asks him to declare all facts and discussions that are within his knowledge and to promote a European foreign policy and an international anti-terrorism strategy that respect human rights and fundamental freedoms;
28. Questions the real substance of the post of EU Counter-terrorism Coordinator



occupied by Gijs de Vries, since he was unable to give satisfactory answers to the questions raised by the Temporary Committee; is of the opinion that a revision and strengthening of his competences and powers, as well as the increased transparency and monitoring of his activities by Parliament must be undertaken in the near future, so as to enhance the European dimension of the fight against terrorism;

29. Deplores the refusal by the Director of the European Police Office (Europol), Max-Peter Ratzel, to appear before the Temporary Committee, particularly because it has emerged that liaison officers, in particular for the US intelligence services, were seconded to the Office; requests that he provide Parliament with comprehensive information concerning the role of those liaison officers, their tasks, the data to which they had access and the conditions for such access;
30. Thanks Commission Vice-President Franco Frattini for his cooperation with the work of the Temporary Committee and encourages the Commission to step up its work in the context of the continuing efforts to ascertain the truth and find ways of preventing any repetition of the facts analysed by the Temporary Committee;
31. Welcomes, in particular, the commitment shown by Vice-President Frattini to launching a Euro-Atlantic cooperation framework in the fight against international terrorism, with harmonised rules on the protection of human rights and fundamental freedoms;
32. Thanks Eurocontrol, and notably its Director, for its excellent cooperation and for the very useful information which it shared with the Temporary Committee;
33. Appreciates the close cooperation which it has maintained with the Council of Europe, particularly its Parliamentary Assembly and its Secretary-General, and encourages the Committee on Legal Affairs and Human Rights - and its Chairman, Senator Dick Marty - to continue its work; endorses the recommendations made to the Committee of Ministers by the Secretary-General, Terry Davis; stresses the convergence of the findings of the two committees to date;
34. Expresses its deep concern with the refusals of the former and current Secretaries-General of NATO, Lord Robertson and Jaap de Hoop Scheffer, to appear before the Temporary Committee or with that organisation's rejection of its request for access to the decision taken by the North Atlantic Council on 4 October 2001 concerning the implementation of Article 5 of the North Atlantic Treaty following the attacks on the United States on 11 September 2001; reiterates its request to make the document public and at least to provide information on its contents, its past and current implementation, whether it still remains into force and whether CIA flights have operated within its framework;
35. Thanks the special rapporteurs of the United Nations, Manfred Nowak (on torture) and Martin Scheinin (on the promotion and protection of human rights in connection with counter-terrorism measures) for their contributions to the work of the Temporary Committee, while regretting that it was not possible for the High Commissioner for Human Rights, Louise Arbour, to meet it; thanks the European Network of Experts on Human Rights and notably its Co-ordinator, Olivier De Schutter, for their contribution to the works of the Temporary Committee;

## *Information analysed by the Temporary Committee*

### *Extraordinary rendition and the misuse of airspace and airports*

36. Recalls that the programme of extraordinary rendition is an extra-judicial practice which contravenes established international human rights standards and whereby an individual suspected of involvement in terrorism is illegally abducted, arrested and/or transferred into the custody of US officials and/or transported to another country for interrogation which, in the majority of cases, involves *incommunicado* detention and torture;
37. Deplores the fact that the families of the victims are kept in complete ignorance of the fate of their relatives;
38. Underlines, notwithstanding an intended confusion created by some US representatives in private and public speeches, that extraordinary rendition is a wholly different practice from one that has been used by some European countries only in very exceptional circumstances, namely the detention or reception into custody in third countries of individuals formally accused of very serious crimes, in order to transfer them to European soil in order to face criminal charges before a court with all the legal guarantees of a judicial system;
39. Condemns extraordinary rendition as an illegal instrument used by the United States in the fight against terrorism; condemns, further, the acceptance and concealing of the practice, on several occasions, by the secret services and governmental authorities of certain European countries;
40. Condemns any participation in the interrogation of individuals who are victims of extraordinary rendition, because it represents a deplorable legitimisation of that type of illegal procedure, even where those participating in the interrogation do not bear direct responsibility for the kidnapping, detention, torture or ill-treatment of the victims;
41. Considers that the practice of extraordinary rendition has been shown to be counterproductive in the fight against terrorism and that extraordinary rendition in fact damages and undermines regular police and judicial procedures against terrorism suspects;
42. Stresses that at least 1 245 flights operated by the CIA flew into European airspace or stopped over at European airports between the end of 2001 and the end of 2005, to which should be added an unspecified number of military flights for the same purpose; recalls that, on one hand, there may have been more CIA flights than those confirmed by the investigations carried out by the Temporary Committee, while, on the other hand, not all those flights have been used for extraordinary rendition;
43. Regrets that European countries have been relinquishing their control over their airspace and airports by turning a blind eye or admitting flights operated by the CIA which, on some occasions, were being used for extraordinary rendition or the illegal

transportation of detainees, and recalls their positive obligations arising out of European Court of Human Rights case law, as reiterated by the European Commission for Democracy through Law (Venice Commission);

44. Is concerned, in particular, that the blanket overflight and stopover clearances granted to CIA-operated aircraft may have been based, inter alia, on the NATO agreement on the implementation of Article 5 of the North Atlantic Treaty, adopted on 4 October 2001;
45. Recalls that Article 1 of the Convention on International Civil Aviation (the Chicago Convention) sets out the principle that contracting States have complete and exclusive sovereignty over the airspace above its territory, and accordingly does not imply any exclusion from the States' full responsibility for the observance of human rights within their territory, including the airspace above it;
46. Emphasises that the CIA has been using civil aviation rules to bypass the legal obligations for state aircraft, including those operated by the military and the police, as provided in the Chicago Convention; recalls that Article 4 of the Chicago Convention provides that: "Each contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention";
47. Confirms, in view of the additional information received during the second part of the proceedings of the Temporary Committee, that it is unlikely that certain European governments were unaware of the extraordinary rendition activities taking place in their territory;
48. Stresses that the Temporary Committee's working documents Nos 7 and 8<sup>1</sup> provide strong evidence of the extraordinary renditions analysed by the committee, as well as of the companies linked to the CIA, the aircraft used by the CIA and the European countries in which CIA aircraft made stopovers;

#### ITALY

49. Deplores the fact that the representatives of the current and former Italian Governments who are or were responsible for the Italian secret services declined the invitation to appear before the Temporary Committee;
50. Condemns the extraordinary rendition by the CIA of the Egyptian cleric Abu Omar, who had been granted asylum in Italy and who was abducted in Milan on 17 February 2003, transferred from Milan to the NATO military base of Aviano by car, and then flown, via the NATO military base of Ramstein in Germany, to Egypt, where he has been held *incommunicado* and tortured ever since;
51. Condemns the active role played by a carabinieri marshal and certain officials of the Italian military security and intelligence services (SISMI) in the abduction of Abu Omar, as shown by the judicial investigation and the evidence collated by Milan's Public Prosecutor Armando Spataro;
52. Concludes, and deplores the fact, that General Nicolò Pollari, former Director of the

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<sup>1</sup> Reference numbers: PE 380.593v04-00 and PE 380.984v02-00.

SISMI, concealed the truth while appearing before the Temporary Committee on 6 March 2006, when he stated that Italian agents had played no part in any CIA kidnapping and that the Italian intelligence services were not aware of the plan to kidnap Abu Omar;

53. Considers it very likely, in view of the involvement of its secret services, that the Italian Government of the day was aware of the extraordinary rendition of Abu Omar from within its territory;
54. Thanks Public Prosecutor Spataro for his testimony to the Temporary Committee, applauds the efficient and independent investigations he carried out in order to shed light on the extraordinary rendition of Abu Omar and fully endorses his conclusions and the decision to bring to judgment 26 US nationals, CIA agents, seven senior officials of the SISMI, an ROS carabinieri and the assistant editor of the 'Libero' daily newspaper; welcomes the opening of the proceedings at the Milan Court;
55. Regrets that the abduction of Abu Omar jeopardised Public Prosecutor Spataro's investigation into the terrorist network to which Abu Omar was connected; recalls that had Abu Omar not been illegally seized and transported to another country, he would have faced a regular and fair trial in Italy;
56. Takes note that the testimony provided by General Pollari is inconsistent with a number of documents found on SISMI premises and confiscated by Milan prosecutors; considers that such documents show that the SISMI was regularly informed by the CIA about the detention of Abu Omar in Egypt;
57. Deeply regrets the systematic misleading, among others, of Milan prosecutors by the SISMI board with the aim of jeopardising the investigation into the extraordinary rendition of Abu Omar; is extremely concerned about the fact that the SISMI board appeared to be working to a parallel agenda, and about the lack of appropriate internal and governmental controls; requests the Italian Government to remedy this situation urgently by establishing enhanced parliamentary and governmental controls;
58. Condemns the fact that Italian journalists investigating the extraordinary rendition of Abu Omar were illegally pursued, that their telephone conversations were tapped and their computers were confiscated; stresses that testimonies from those journalists have been of the utmost benefit to the work of the Temporary Committee;
59. Criticises the length of time it took for the Italian Government to decide to remove from office and replace General Pollari;
60. Regrets that a document on US-Italian cooperation in the fight against terrorism, which would have assisted the investigation into the extraordinary rendition of Abu Omar, was classified by the former Italian Government and that the current government has confirmed the classified status of this document;
61. Urges the Italian Minister of Justice to process, as soon as possible, the requests for extradition of the 26 US nationals referred to, for the purpose of standing trial in Italy;
62. Condemns the extraordinary rendition of Italian citizen Abou Elkassim Britel, who was arrested in Pakistan in March 2002 by the Pakistani police and interrogated by US and Pakistani officials, and subsequently rendered to the Moroccan authorities and

imprisoned in the detention facility 'Temara', where he remains detained; emphasises that the criminal investigations in Italy against Abou Elkassim Britel were closed without any charges being brought;

63. Regrets that, according to the documentation provided to the Temporary Committee by Abou Elkassim Britel's lawyer, the Italian Ministry of Internal Affairs was at the time in 'constant cooperation' with foreign secret services concerning the case of Abou Elkassim Britel following his arrest in Pakistan;
64. Urges the Italian Government to take concrete steps in order to obtain the immediate release of Abou Elkassim Britel and Abu Omar so that proceedings against the latter can be prosecuted in the Court of Milan;
65. Deeply regrets that Italian territory was used by the CIA to make a stopover during the flight that was used to carry out the extraordinary rendition of Maher Arar, who gave testimony to the Temporary Committee, from the United States to Syria, via Rome;
66. Notes the 46 stopovers made by CIA-operated aircraft at Italian airports and expresses serious concern about the purpose of those flights which came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers at Italian airports of aircraft which have been shown to have been used by the CIA on other occasions for the extraordinary rendition of , Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed, Abu Omar and Maher Arar and for the expulsion of Ahmed Agiza and Mohammed El Zari;

#### THE UNITED KINGDOM

67. Deplores the manner in which the UK Government, as represented by its Minister for Europe, cooperated with the Temporary Committee; is extremely surprised at the letter of the Minister sent to Parliament's President,
68. Thanks the All-Party Parliamentary Group on Extraordinary Renditions (APPG), comprising members of the House of Commons and the House of Lords, for its work and for providing the Temporary Committee delegation to London with a number of highly valuable documents;
69. Condemns the extraordinary rendition of Bisher Al-Rawi, an Iraqi citizen and resident of the United Kingdom, and Jamil El-Banna, a Jordanian citizen and resident of the United Kingdom, who were arrested by Gambian authorities in Gambia in November 2002, turned over to US agents, and flown to Afghanistan and then to Guantánamo, where they remain detained without trial or any form of judicial assistance;
70. Points out that the telegrams from the UK security service MI5 to an unspecified foreign government which were released to the Chairman of the APPG, Andrew Tyrie, suggest that the abduction of Bisher Al-Rawi and Jamil El-Banna was facilitated by partly erroneous information supplied by the UK security service;
71. Criticises the unwillingness of the UK Government to provide consular assistance to Bisher Al-Rawi and Jamil El-Banna on the grounds that they are not UK citizens;
72. Condemns the multiple extraordinary rendition of Binyam Mohammed, Ethiopian citizen and resident of the United Kingdom; points out that Binyam Mohammed has

- been held in at least two secret detention facilities, in addition to military prisons;
73. Is deeply disturbed by the testimony of Binyam Mohammed's lawyer, who gave an account of the most horrific torture endured by his client to the official delegation of the Temporary Committee to the United Kingdom;
  74. Emphasises that the former UK Secretary of State for Foreign and Commonwealth Affairs, Jack Straw, conceded in December 2005 that UK intelligence officials met Binyam Mohammed when he was arrested in Pakistan; points out in this respect that some of the questions put by the Moroccan officials to Binyam Mohammed appear to have been inspired by information supplied by the UK;
  75. Condemns the extraordinary rendition of UK citizen Martin Mubanga, who met the official delegation of the Temporary Committee to the United Kingdom, and who was arrested in Zambia in March 2002 and subsequently flown to Guantánamo; regrets the fact that Martin Mubanga was interrogated by British officials at Guantánamo, where he was detained and tortured for four years without trial or any form of judicial assistance and then released without charge;
  76. Thanks Craig Murray, former UK Ambassador to Uzbekistan, for his very valuable testimony to the Temporary Committee on the exchange of intelligence obtained under torture and for providing a copy of the legal opinion of Michael Wood, former legal advisor to the UK Foreign and Commonwealth Office;
  77. Is outraged by Michael Wood's legal opinion, according to which 'receiving or possessing' information extracted under torture, in so far as there is no direct participation in the torture, is not per se prohibited by the UN Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment; expresses its outrage at any attempt to obtain information by means of torture, regardless of who is involved;
  78. Expresses serious concern about the 170 stopovers made by CIA-operated aircraft at UK airports, which on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers at UK airports of aircraft which have been shown to have been used by the CIA, on other occasions, for the extraordinary rendition of Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed, Abu Omar and Maher Arar and for the expulsion of Ahmed Agiza and Mohammed El Zari;

#### GERMANY

79. Acknowledges the good cooperation on the part of the German Government by providing restricted documents to the Chairman and the rapporteur of the Temporary Committee; regrets, on the other hand, that no representative of the German Government was able to appear before the Temporary Committee;

80. Welcomes the excellent work of the German Parliament inquiry committee and expresses its full support for the continuation of that committee's work;
81. Thanks Munich Public Prosecutor Martin Hofmann for his testimony to the Temporary Committee and applauds all ongoing judicial inquiries in Germany;
82. Deplores the fact that German authorities at least had knowledge of the illegal abduction of German citizen Khaled El-Masri, who gave testimony to the Temporary Committee, and requests the German Parliament inquiry committee to examine further and clarify the role of German agents in this case;
83. Condemns the extraordinary rendition of Turkish citizen and resident of Germany Murat Kurnaz, who gave testimony to the Temporary Committee and who was arrested in Pakistan in November 2001, transferred to the US units across the border in Afghanistan by the Pakistani police on no legal basis and with no judicial assistance, and finally flown to Guantánamo at the end of January 2002, from where he was released on 24 August 2006 without charge, having been tortured in all the locations where he had been held;
84. Points out that, according to confidential institutional information, the German Government did not accept the US offer, made in 2002, to release Murat Kurnaz from Guantánamo; notes that on many occasions since 2002, Murat Kurnaz's lawyer was told by the German Government that it was impossible to open negotiations with the US Government on his release because Murat Kurnaz was a Turkish citizen; notes that all investigations concluded, as early as the end of October 2002, that Murat Kurnaz posed no terrorist threat;
85. Regrets the fact that Murat Kurnaz was interrogated twice, in 2002 and in 2004, by German officials at Guantánamo, where he was detained subject to neither formal charge nor trial and without judicial assistance; regrets the fact that German officials denied him any assistance and were only interested in questioning him;
86. Fully supports the investigation launched by the public prosecutor in Potsdam, transferred to the Public Prosecutor in Tübingen/Karlsruhe on 25 October 2006, into unknown perpetrators in order to establish whether Murat Kurnaz was ill-treated in Afghanistan by German soldiers belonging to the Kommando Spezialkräfte (KSK), the German army's special operational forces, before being sent to Guantánamo;
87. Notes that during his interrogations Murat Kurnaz was confronted with details from his personal life; notes that this gives rise to the suspicion that even before he left the country Murat Kurnaz was the subject of surveillance of a closeness which can normally only be provided by domestic intelligence services;
88. Appreciates the German Government's initiative in January 2006 which led to the release of Murat Kurnaz;
89. Condemns the extraordinary rendition of the German citizen Mohammed Zammar, arrested without formal charge on 8 December 2001 at Casablanca airport in Morocco and detained and tortured in Morocco and Syria;
90. Notes that, according to a confidential institutional source, on 26 November 2001 the German Federal Criminal Police Office provided details of Mohammed Zammar's

whereabouts to the US Federal Bureau of Investigation (FBI), and that this facilitated Mohammed Zammar's arrest;

91. Points out that, subsequently to a meeting between the officials of the German Federal Chancellery and Syrian intelligence officials in July 2002, German prosecutors dropped charges against several Syrian citizens in Germany while the Syrian authorities allowed German officials to meet Mohammed Zammar in the Syrian prison Far' Falastin, as also confirmed by a confidential institutional source; regrets that Mohammed Zammar was interrogated by German agents in that prison;
92. Calls on the German Bundestag's First Committee of Inquiry, in the context of the forthcoming expansion of its remit, to investigate the case which recently came to light involving the illegal rendition of the Egyptian national Abdel-Halim Khafagy, who had long been resident in Germany; Abdel-Halim Khafagy was probably arrested in Bosnia and Herzegovina in September 2001 on suspicion of being a terrorist and abducted to a prison on the US 'Eagle Base' military base in Tuzla, where he was severely mistreated and detained under inhumane conditions;
93. Is deeply concerned at information contained in an unclassified document made available to the Temporary Committee which shows that the illegal rendition of at least six Algerians from Tuzla via Incirlik to Guantánamo was planned at the US European Command (USEUCOM) military base near Stuttgart; calls on the German Bundestag to investigate without delay whether those alleged renditions involved breaches of the Forces Status Agreement or other agreements or treaties concluded with US military forces on German territory, whether further illegal renditions were planned by USEUCOM and whether German liaison officers were involved in any way;
94. Expresses serious concern about the 336 stopovers made by CIA-operated aircraft at German airports that on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers in Germany of aircraft which have been shown to have been used by the CIA, on other occasions, for the extraordinary renditions of Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed, Abu Omar and Maher Arar and for the expulsion of Ahmed Agiza and Mohammed El Zari; is particularly concerned that one of the flights referred to was destined for Guantánamo; strongly encourages the German authorities further to investigate that flight;
95. Notes the allegations concerning the temporary detention and mistreatment of suspected terrorists at the US military prison in Mannheim-Blumenau, welcomes the investigations opened by the Federal Public Prosecutor's Office and hopes that the German Bundestag and/or the competent committee of inquiry will investigate this case more closely;

#### SWEDEN

96. Takes note of the position of the Swedish Government expressed in the letter transmitted to the Temporary Committee by its Foreign Minister Carl Bildt; regrets that no representative of the government was able to appear before the Temporary Committee in order to hold an exchange of views on its position;



97. Condemns the fact that Sweden's expulsion in December 2001 of Mohammed El-Zari and Ahmed Agiza, Egyptian nationals who were seeking asylum in Sweden, was based solely on diplomatic assurances from the Egyptian Government, which did not provide effective safeguards against torture; also acknowledges that the Swedish government hindered them from exercising their rights in accordance with the European convention, by not informing their lawyers until before they had arrived in Cairo; deplores the fact that the Swedish authorities accepted an US offer to place at their disposal an aircraft which benefited from special overflight authorisation in order to transport the two men to Egypt;
98. Deplores the fact that the Swedish security police lost control over the enforcement of the expulsion of Ahmed Agiza and Mohammed El-Zari to Egypt, outside the rule of law, by remaining passive during the degrading treatment of the men by US agents at Bromma airport;
99. Underlines that the decision of the expulsion was taken at the highest executive level, from which no appeal was possible;
100. Fully endorses the UN Human Rights Committee's decision of 6 November 2006 in which it found that Sweden had breached the absolute ban on torture; similarly endorses a separate ruling by the UN Committee against Torture of 20 May 2005, which concluded that Sweden had violated the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and stated that "procurement of diplomatic assurances (from Egypt), which, moreover, provided no mechanism for their enforcement, did not suffice to protect against this manifest risk";
101. Thanks the Swedish Chief Parliamentary Ombudsman, Mats Melin, for his testimony to the Temporary Committee and applauds his investigation which concluded that the Swedish security service and airport police "were remarkably submissive to the American officials" and "lost control of the enforcement", resulting in the ill-treatment of Ahmed Agiza and Mohammed El-Zari, including physical abuse and other humiliation, at the airport immediately before they were transported to Cairo;

#### AUSTRIA

102. Notes the written explanations given on behalf of the Austrian Government but regrets that the Austrian Government did not consider it appropriate to appear before the Temporary Committee in order to hold an exchange of views about its position;
103. Notes that the persons referred to in the following paragraphs, Masaad Omer Behari and Gamal Menshawi, are individuals who did not and still do not have Austrian citizenship, whose freedom of movement was unrestricted; notes that the two men left Austria voluntarily and without undergoing checks by the Austrian authorities, and that they were arrested by foreign agencies, outside Austrian territory and outside the area of influence of the Austrian authorities, with no Austrian involvement; notes that, accordingly, these are clearly not cases of rendition of persons to foreign authorities;
104. Condemns the fact that Masaad Omer Behari, a Sudanese citizen and resident of Austria since 1989 who gave testimony to the Temporary Committee, was abducted at Amman airport on 12 January 2003 on his way back to Vienna from Sudan;
105. Deplores the fact that Masaad Omer Behari was later illegally secretly detained in a

prison close to Amman run by the Jordan General Intelligence Department, without trial or legal assistance, and that he was tortured and ill-treated there until 8 April 2003, when he was released without charge; recalls that a judicial procedure was started by the Austrian authorities against Masaad Omer Behari in September 2001, which was subsequently closed in August 2002, without charge;

106. Deplores the fact that, according to Masaad Omer Behari's statement to the Temporary Committee, there may have been cooperation between the US, Austrian and Jordanian authorities in respect of his case;
107. Condemns the abduction of Egyptian citizen and resident of Austria, Gamal Menshawi, who was arrested on his way to Mecca at Amman airport in February 2003, and later brought to Egypt where he was secretly detained until 2005 without trial or legal rights; recalls that no allegations have ever been made against Gamal Menshawi in Austria;
108. Regrets that, having considered the above paragraphs, neither a special nor a parliamentary inquiry was carried out in Austria into the possible involvement of the Austrian authorities in the two cases referred to; urges the Austrian Parliament to start appropriate inquiries as soon as possible;

#### SPAIN

109. Welcomes the declaration of good cooperation with the Temporary Committee of the Spanish Government, in particular, the testimony given to the Temporary Committee by its Minister for Foreign Affairs; regrets, nevertheless, that the Spanish Government ultimately did not authorise the Director of the Spanish Intelligence Services to appear before the Temporary Committee, several months after having been requested to do so;
110. Thanks the Chief Prosecutor Javier Zaragoza and Prosecutor Vicente González Mota of the *Audiencia Nacional* for their testimony to the Temporary Committee and applauds their investigations into the use of Spanish airports for the transit of CIA aircraft within the context of the programme of extraordinary rendition; encourages the prosecutors to investigate further the stopovers of the aircraft involved in the extraordinary rendition of Khaled El-Masri;
111. Applauds the investigative journalism of *Diario de Mallorca*, which played an important role in revealing the transit of CIA aircrafts through the Balearic Island airports and the identification of their crews;
112. Recalls the words of Chief Prosecutor Zaragoza that "there was no obstacle, objection or trouble from the Spanish Government side in the investigations by the *Audiencia Nacional*";
113. Calls on the Spanish authorities to take all necessary steps to allow Spanish citizen Mustafa Setmariam Nasarwho, abducted in Syria in October 2005 and rendered to US agents, to face a fair trial before competent judicial authorities;
114. Expresses serious concern about the 68 stopovers made by CIA-operated aircraft at Spanish airports that on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the

stopovers in Spain of aircraft which have been shown to have been used by the CIA in other countries for the extraordinary rendition of Ahmed Agiza, Mohammed El-Zari, Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed, Abu Omar and Maher Arar, according to the legal investigations under way in Spain and Italy; is particularly concerned that, of the above flights, three originated from or were destined for Guantánamo; strongly encourages the Spanish Prosecutors further to investigate those flights;

#### PORTUGAL

115. Welcomes the meeting in Lisbon with the Portuguese Minister of Foreign Affairs and the fact that the Portuguese Government supplied documents and explanations; regrets that the Portuguese authorities were unable or reluctant to answer all the questions raised by the Temporary Committee delegation in Portugal;
116. Asks the Portuguese authorities to investigate the case of Abdurahman Khadr, allegedly carried on board the Gulfstream IV N85VM from Guantánamo to Tuzla in Bosnia and Herzegovina on 6 November 2003, with a stopover in Santa Maria on the Azores Islands on 7 November 2003; calls on the Portuguese authorities to examine this case and those of other possible victims transported via Portugal with a view to determining whether there should be compensation for violations of human rights;
117. Welcomes the establishment of the inter-ministerial working group on 26 September 2006 and the entry into force, on 13 October 2006, of a regulation stipulating that lists of the names of crew members and passengers on private flights must be submitted to the Portuguese frontier authorities;
118. Deplores the fact that the former Minister of Defence, Paulo Portas, and the former Minister of the Interior, António Figueiredo Lopes, declined invitations to meet the delegation of the Temporary Committee;
119. Notes that some of the 91 stopovers made in Portugal enabled the CIA and US military bodies to carry out the extraordinary rendition of Bisher Al-Rawi, Jamil El-Banna, Khaled El-Masri, Binyam Mohammed and Abu Omar and for the expulsion of Ahmed Agiza and Mohammed El Zari; is particularly concerned that of those flights, at least three originated from or were destined for Guantánamo; notes that the aircraft involved in the rendition of Maher Arar and Abou Elkassim Britel made stopovers in Portugal on their return flights;
120. Expresses deep concern at an additional list that the Temporary Committee has obtained, the authenticity of which the Portuguese Government has not denied, which indicates that, in addition to the 91 stopovers made, aircraft from a number of countries, travelling to or from Guantánamo, made 17 stopovers (including three contained in Eurocontrol lists) at the Portuguese airports of Lajes and Santa Maria between 11 January 2002 and 24 June 2006;

#### IRELAND

121. Welcomes the testimony given to the Temporary Committee by the Irish Minister for Foreign Affairs on behalf of the Irish Government as well as his unequivocal criticism

of the process of extraordinary rendition; notes the fact, however, that he failed to answer all the questions in relation to the concerns that Irish airports may have been used by CIA aircraft travelling to or from extraordinary rendition missions (as in the case of Abu Omar);

122. Thanks the Irish Human Rights Commission (IHRC) for its testimony to the Temporary Committee and endorses its view which considers that acceptance by the Irish government of diplomatic assurances do not fulfil Ireland's human rights obligations, which oblige the government actively to seek to prevent any actions that could in any way facilitate torture or ill-treatment in Ireland or abroad; regrets the decision of the Irish Government not to follow the IHRC's advice on this matter to date; notes that there is continuing dialogue between the IHRC and the Irish Government;
123. Expresses serious concern about the 147 stopovers made by CIA-operated aircraft at Irish airports that on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers in Ireland of aircraft which have been shown to have been used by the CIA, on other occasions, for the extraordinary rendition of Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed, Abu Omar and Maher Arar and for the expulsion of Ahmed Agiza and Mohammed El Zari;
124. Notes the absence of Irish parliamentary scrutiny of either Irish or foreign intelligence services and the potential that this creates for abuse;
125. Considers, that, in the absence of a system of random searches, a ban should be imposed on all CIA-operated aircraft landing in Ireland;
126. Urges the Irish Government, in view of the findings of the Temporary Committee, to agree to launch a parliamentary inquiry into the use of Irish territory as part of the CIA rendition circuit;

#### GREECE

127. Expresses serious concern about the 64 stopovers made by CIA-operated aircraft at Greek airports that on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers in Greece of aircraft which have been shown to have been used by the CIA, on other occasions, for the extraordinary rendition of Ahmed Agiza, Mohammed El-Zari, Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed and Maher Arar;

#### CYPRUS

128. Expresses serious concern about the 57 stopovers made by CIA-operated aircraft at Cypriot airports that on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers in Cyprus of aircraft which have been shown to have been used by the CIA, on other occasions, for the extraordinary rendition of Ahmed Agiza, Mohammed El-Zari, Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed and Abu Omar;

#### DENMARK

129. Welcomes the cooperation received from the Danish authorities, while regretting that no representative of the government considered it appropriate to appear before the Temporary Committee;

#### BELGIUM

130. Calls on the Belgian Government to disclose the results of all investigations that have taken place and deplores the fact that Belgium did not conduct a thorough investigation concerning the use of Belgian airports and the Belgian airspace by aircraft clearly involved in the extraordinary rendition programme or the transport of detainees;
131. Notes the statements of the President of the Belgian Senate Anne-Marie Lizin and refers to the conclusions of the report of the Belgian Senate which deplore the lack of cooperation by the Belgian intelligent services and the Belgian authorities;

#### TURKEY

132. Expresses its serious concern about the failure of the Turkish authorities to extend diplomatic protection to their national Murat Kurnaz and about the absence of any step to secure his release from the prison at Guantánamo;
133. Regrets that, on the contrary, the same authorities used the illegal detention of their national to interrogate him at Guantánamo;
134. Deplores the silence of the Turkish authorities concerning the use of their territory for the stopover of an aircraft which had taken to Guantánamo the six nationals of or residents in Bosnia and Herzegovina, of Algerian origin, who were illegally arrested in Bosnia and Herzegovina;

#### FORMER YUGOSLAV REPUBLIC OF MACEDONIA

135. Emphasises that a delegation of the Temporary Committee was received in Skopje in April 2006 by the President of the Republic, members of the government and several officials and thanks them for the welcome given to the delegation; notes, however, a lack of thorough investigation into the Khaled El-Masri case by the authorities of the Former Yugoslav Republic of Macedonia;
136. Condemns the extraordinary rendition of the German citizen Khaled El-Masri, abducted at the border-crossing Tabanovce in the Former Yugoslav Republic of Macedonia on 31 December 2003, illegally held in Skopje from 31 December 2003 to 23 January 2004 and then transported to Afghanistan on 23-24 January 2004, where he was held until May 2004 and subjected to degrading and inhuman treatment;
137. Urges the Council and its High Representative for the CFSP to shed full light on the fact that the EU police mission (PROXIMA) was incorporated into the Ministry of Interior of the Former Yugoslav Republic of Macedonia and was involved in the work of the Macedonian Security and Counter-Espionage Service (DBK) at the time when Khaled El-Masri was handed over to the CIA; would like to know if it is true that the Council questioned the EU staff involved in the PROXIMA mission so as to evaluate the level of information in their possession regarding the case of Khaled el Masri; if appropriate, asks the Council to provide Parliament with a full account of the investigation;

138. Fully endorses the preliminary findings of Munich Public Prosecutor Martin Hofmann that there is no evidence on the basis of which to refute Khaled El-Masri's version of events;
139. Deeply regrets the fact that the authorities of the Former Yugoslav Republic of Macedonia failed to follow up the recommendations made by the Temporary Committee in its interim report of 6 July 2006;
140. Points out again that the Former Yugoslav Republic of Macedonia authorities are expected to carry out investigations; urges the newly elected national parliament of the Former Yugoslav Republic of Macedonia to set up a committee of inquiry as soon as possible to deal with the case of Khaled El-Masri and to cooperate fully with the ongoing inquiry of the German Parliament;

#### BOSNIA AND HERZEGOVINA

141. Welcomes the fact that the Government of Bosnia and Herzegovina is the only European government that does not deny its participation in the extraordinary rendition of four citizens of and two residents in Bosnia and Herzegovina, all of Algerian origin, and stresses that the Government of Bosnia and Herzegovina is the only European government to have accepted formal responsibility for its illegal actions; regrets, however, that the steps undertaken by the Government of Bosnia and Herzegovina have not yet resulted in the release of the six men from Guantánamo;
142. Condemns the extraordinary rendition of those six men, who were abducted in Sarajevo on 17 January 2002, turned over to US soldiers and then flown to Guantánamo, where they remain detained without trial or legal guarantees;
143. Takes note of the testimony given to the Temporary Committee by Wolfgang Petritsch, former High Representative of the international community in Bosnia and Herzegovina, and by Michèle Picard, former President of the Human Rights Chamber of Bosnia and Herzegovina, which stated that representatives of the international community in Bosnia and Herzegovina were given adequate notice of the imminent handing-over of the men referred to the US forces before events unfolded; condemns in this respect the Member States for their lack of action;
144. Regrets the fact that the international community as represented in Bosnia and Herzegovina turned a blind eye when the decisions of the Supreme Court and the Human Rights Chamber of Bosnia and Herzegovina ordering the release of the men from custody were not implemented;
145. Points out that, according to the information that the Temporary Committee received from the lawyers of the six men, the authorities of Bosnia and Herzegovina were subject to unprecedented pressure from the US Government, which threatened to close its embassy, withdraw all staff and cease diplomatic relations with Bosnia and Herzegovina unless the Government of Bosnia and Herzegovina immediately arrested the six men on terrorism charges;
146. Notes that Wolfgang Petritsch confirmed that the United States put considerable pressure on the authorities of Bosnia and Herzegovina and the international community not to interfere in the renditions and that the commander of the international NATO-led Stabilisation Force in particular rejected any questioning of his activities since he acted

in his capacity as US military officer;

#### OTHER EUROPEAN COUNTRIES

147. Is concerned about the stopovers made by CIA-operated aircraft in other European countries' airports and expresses serious concern about the purpose of those flights which came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; encourages the authorities of those European countries to launch adequate investigations into this matter;

#### *Secret detention facilities*

148. Welcomes the investigations carried out into the existence of secret detention facilities in Europe by Human Rights Watch, the Washington Post and American Broadcasting Company News (ABC News);
149. Recalls that some journalists at the Washington Post and ABC News, as they confirmed to the Temporary Committee, were put under pressure not to name the eastern European countries, namely Poland and Romania, where there were said to have been secret detention facilities;
150. Emphasises that the concept of "secret detention facility" includes not only prisons, but also all places where somebody is held *incommunicado*, such as private apartments, police stations or hotel rooms, as in the case of Khaled El-Masri in Skopje;
151. Is deeply concerned that, in some cases, temporary secret detention facilities in European countries may have been located at US military bases;
152. Calls for the appropriate implementation of bilateral agreements, Status of Forces Agreements and military base agreements (between Member States and third countries) to ensure the monitoring of respect for human rights and, where appropriate, for a review and renegotiation of those agreements to this effect; stresses that, according to the Venice Commission, the legal framework of foreign military bases on the territory of Council of Europe's Member States must enable them to exercise sufficient powers to fulfil their human rights obligations;
153. Points out in this regard the allegations concerning the US Coleman Barracks in Mannheim, Germany, and calls on both the judiciary and the German Bundestag's inquiry Committee to investigate this case further;
154. Regrets that there may have been a lack of control over US military bases by host European countries; recalls, however, that the ECHR provides that all State parties are bound to exercise jurisdiction over their whole territory, including foreign military bases;
155. Recalls that the ECHR also provides that every case of detention must be lawful and must be the result of proceedings prescribed by law, whether national or international;
156. Recalls that imposing or executing or allowing directly or indirectly secret and illegal

detentions, which are instruments resulting in people's 'disappearance', per se constitute serious violations of human rights and that the active or passive involvement in such secret and illegal detentions by a European country renders that country responsible under the ECHR;

#### ROMANIA

157. Welcomes the excellent hospitality and good cooperation extended by the Romanian authorities to the Temporary Committee, including meetings with members of the Romanian Government, as well as the establishment of an ad hoc inquiry committee of the Romanian Senate;
158. Notes, however, the reluctance on the part of the Romanian authorities to investigate thoroughly the existence of secret detention facilities on its territory;
159. Regrets that the report issued by the Romanian inquiry committee was entirely secret except for its conclusions, included in Chapter 7, categorically denying the possibility that secret detention facilities could be hosted on Romanian soil; regrets that the Romanian inquiry committee heard no testimony from journalists, NGOs, or officials working in airports, and has not yet provided the Temporary Committee with the report contrary to its commitment to do so; regrets that taking these elements into consideration, the conclusions drawn in the Romanian inquiry committee's report appear premature and superficial; takes note, however, of the intention expressed by the Chairwoman of the inquiry committee to the Temporary Committee delegation to consider the conclusions provisional;
160. Regrets the lack of control of the Gulfstream aircraft with Registration Number N478GS that suffered an accident on 6 December 2004 when landing in Bucharest; recalls that the aircraft took off from Bagram Air Base in Afghanistan, and that its seven passengers disappeared following the accident; appreciates, however, the good cooperation of the Romanian authorities in handing over the report on the accident to the Temporary Committee;
161. Is deeply concerned to see that Romanian authorities did not initiate an official investigation process, as any democratic country should have done, into the case of a passenger on the aircraft Gulfstream N478GS, who was found carrying a Beretta 9 mm Parabellum pistol with ammunition;
162. Expresses serious concern about the 21 stopovers made by CIA-operated aircraft at Romanian airports, which on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers in Romania of aircraft which have been shown to have been used by the CIA, on other occasions, for the extraordinary rendition of Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri, Binyam Mohammed and Abu Omar and for the expulsion of Ahmed Agiza and Mohammed El Zari; is particularly concerned that, of the flights referred to, two originated from or were destined for Guantánamo; strongly encourages the Romanian authorities further to investigate those flights;
163. Is extremely concerned that the Romanian authorities may have lacked control over US activities in the military base at Kogalniceanu airport;
164. Cannot exclude, based only on the statements made by Romanian authorities to the



Temporary Committee delegation to Romania, the possibility that US secret services operated in Romania on a clandestine basis and that no definitive evidence has been provided to contradict any of the allegations concerning the running of a secret detention facility on Romanian soil;

#### POLAND

165. Deplores the glaring lack of cooperation by the Polish Government with the Temporary Committee, in particular when receiving the Temporary Committee delegation at an inappropriate level; deeply regrets that all those representatives of the Polish Government and Parliament who were invited to do so, declined to meet the Temporary Committee;
166. Believes that this attitude reflected an overall rejection on the part of the Polish Government of the Temporary Committee and its objective to examine allegations and establish facts;
167. Regrets that no special inquiry committee has been established and that the Polish Parliament has not conducted an independent investigation;
168. Recalls that on 21 December 2005, the Special Services Committee held a private meeting with the Minister Coordinator of Special Services and the heads of both intelligence services; emphasises that the meeting was conducted speedily and in secret, in the absence of any hearing or testimony and subject to no scrutiny; stresses that such an investigation cannot be defined as independent and regrets that the committee released no documentation, save for a single final statement in this regard;
169. Expresses serious concern about the 11 stopovers made by CIA-operated aircraft at Polish airports that on many occasions came from or were bound for countries linked with extraordinary rendition circuits and the transfer of detainees; deplores the stopovers in Poland of aircraft which have been shown to have been used by the CIA, on other occasions, for the extraordinary rendition of Bisher Al-Rawi, Jamil El-Banna, Abou Elkassim Britel, Khaled El-Masri and Binyam Mohammed and for the expulsion of Ahmed Agiza and Mohammed El Zar;
170. Regrets that following the hearings carried out by the Temporary Committee delegation in Poland, there was confusion and contradictory statements were made about the flight logs for those CIA flights, which were first said not to have been retained and then said to have probably been archived at the airport and finally claimed to have been sent by the Polish Government to the Council of Europe; acknowledges that in November 2006, the Szymany Airport's management provided the Temporary Committee with partial information on flight logs;
171. Thanks the former manager of the Szymany airport, for the valuable testimony given before the Temporary Committee; notes the fact that during 2006 he or she was questioned in the framework of a late enquiry concerning the CIA flights, immediately after his or her testimony was made public;
172. Takes note that, according to different sources, several high-value detainees who had been held secretly in Afghanistan in 2003 were transferred out of the country in September and October 2003; underlines with concern that a Boeing 737 with Registration Number N313P, used by the CIA for ascertained renditions, flew from

Kabul to Szymany airport on 22 September 2003 and was then directed to Guantánamo;

173. Recalls that, concerning the landing of the aircraft referred to at Szymany airport, seven staff on board were joined by five passengers and that no customs control was carried out on those passengers;
174. Takes note of the declarations made by Szymany airport employees, and notably by its former manager, according to which:
  - in 2002, two Gulfstream jets, and in 2003, four Gulfstream jets with civilian registration numbers were parked at the edge of the airport and did not enter customs clearance;
  - orders were given directly by the regional border guards about the arrivals of the aircraft referred to, emphasising that the airport authorities should not approach the aircraft and that military staff and services alone were to handle those aircraft and only to complete the technical arrangements after the landing;
  - according to a former senior official of the airport, no Polish civilian or military staff were permitted to approach the aircraft;
  - excessive landing fees were paid in cash - usually between EUR 2 000 and EUR 4 000;
  - one or two vehicles waited for the arrival of the aircraft;
  - the vehicles had military registration numbers starting with “H”, which are associated with the intelligence training base in nearby Stare Kiejkuty;
  - in one case, a medical emergency vehicle belonging either to the police academy or the military base was involved;
  - one airport staff member reported following the vehicles on one occasion and seeing them heading towards the intelligence training centre at Stare Kiejkuty;
175. Acknowledges that shortly after, and in accordance with, President George W. Bush's statements on 6 September 2006, a list of the 14 detainees who had been transferred from a secret detention facility to Guantánamo was published; notes that 7 of the 14 detainees had been referred to in a report by ABC News, which was published nine months previously on 5 December 2005 but was withdrawn shortly thereafter from ABC's webpage, listing the names of twelve top Al Qaeda suspects held in Poland;
176. Encourages the Polish Parliament to establish a proper inquiry committee, independent of the Government and capable of carrying out serious and thorough investigations;
177. Regrets that Polish human rights NGOs and investigative journalists have faced a lack of cooperation from the government and refusals to divulge information;
178. Considers that in the light of the above circumstantial evidences, it is not possible to acknowledge that secret detention centres were based in Poland;
179. Notes with concern that the official reply of 10 March 2006 from Under-Secretary of State Witold Waszykowski to Terry Davis indicates the existence of secret cooperation

agreements, initialled by the two countries' secret services themselves, which exclude the activities of foreign secret services from the jurisdiction of Polish judicial bodies;

#### KOSOVO (UNDER UN SECURITY COUNCIL RESOLUTION 1244)

180. Expresses deep concern over the fact that the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) obtained access to NATO-run detention facilities in Kosovo only in July 2006;
181. Regrets the refusal of NATO to provide evidence on the allegations of illegal detention of terrorist suspects in the prison run by the NATO-led peacekeeping force in Kosovo (KFOR) at Camp Bondsteel, the only detention facility in Europe where CPT inspectors were not allowed unlimited access until very recently;
182. Points out in this respect that the testimony given to the Temporary Committee by the former Kosovo Ombudsman, Marek Antoni Nowicki, confirmed that from July 1999, inmates were frequently detained at Camp Bondsteel, subject only to a decision by the Commander of KFOR and subject to no judicial decision or any form of other external control; recalls that from 2000 to 2001, a number of people were detained also following administrative decisions of the Special Representative of the UN Secretary-General and that, according to official data available, 23 people were imprisoned at Camp Bondsteel for a short period of time by the KFOR Commander in connection with violent events in Kosovo in spring 2004;

#### *Other relevant information collected by the Temporary Committee*

183. Points out that the Temporary Committee came across information - including the direct testimony of Murat Kurnaz - about the interrogation of Guantánamo detainees carried out by agents of Member State governments; emphasises that those interrogations were aimed at collecting information from individuals illegally detained, which is clearly in contradiction with the public condemnation of Guantánamo, as expressed at both EU and Member State level on several occasions;
184. Encourages the Member States involved to launch adequate investigations into this matter;

#### *Recommendations*

##### *Political recommendations*

185. Considers it necessary that those European countries that have started inquiries and investigations at governmental, parliamentary and/or judicial level on matters within the remit of the Temporary Committee should conduct their work as speedily as possible

and make public the results of the investigations;

186. Urges European countries in relation to which serious allegations have been made regarding active or passive cooperation with extraordinary rendition and that have not undertaken governmental, parliamentary and/or judicial investigations to commence such proceedings as soon as possible; recalls that, according to the case law of the European Court of Human Rights, there is a positive obligation on Member States to investigate allegations of and sanction human rights violations in breach of the ECHR;
187. Calls for the closure of Guantánamo and for European countries immediately to seek the return of their citizens and residents who are being held illegally by US authorities;
188. Considers that all European countries that have not done so should initiate independent investigations into all stopovers made by civilian aircraft carried out by the CIA, at least since 2001, including those cases already analysed by the Temporary Committee;
189. Expects to be kept fully informed on all developments concerning all the above-mentioned procedures;
190. Calls on European countries to compensate the innocent victims of extraordinary rendition and to ensure that they have access to effective and speedy compensation, including access to rehabilitation programmes, guarantees that there will be no repetition of what happened as well as appropriate financial compensation;
191. Asks the Commission to undertake an evaluation of all anti-terrorist legislation, in the Member States and of both formal and informal arrangements between Member State and third-country intelligence services, from a human rights perspective, to review legislation where international or European human rights bodies considers that it could lead to breach of human rights and to present proposals for actions in order to avoid any repetition of the matters under the remit of the Temporary Committee;
192. Considers it necessary to review by limiting and restrictively defining the exceptions that flow from the notion of 'State secret', also in the framework of the impending review of Regulation 1049/01<sup>1</sup>, as well as the adoption of common principles by the EU institutions as regards the treatment of confidential information, to avoid abuses and deviations that are more and more unacceptable in modern democratic States and that contradict human rights obligations; deems it necessary to establish specific mechanisms to allow for access to secret information by parliaments and judges, as well as for the release of the information after a certain period of time;
193. Notes the recent creation of a High-Level Working Group composed of representatives of the Commission, the Council and US governmental representatives of the Justice Ministry and the Homeland Security, which constitutes the political framework for EU-US dialogue on security matters, including differences in the approach to terrorism as well as the concerns raised by the Temporary Committee; deems it necessary to associate in this High-Level Working Group the European Parliament and the US

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Congress, as well as to publish its agendas, minutes, documents examined and decisions taken, in order to ensure and increase its democratic legitimacy and transparency;

194. Encourages European countries when they conduct military operations in third countries to:
- ensure that any detention centre established by their military forces is subject to civilian and judicial supervision and that *incommunicado* detention is not permitted;
  - take active steps to prevent any other authority from operating detention centres which are not subject to political and judicial oversight or where *incommunicado* detention is permitted;

#### *Legal recommendations*

195. Considers that the powers of Parliament's temporary inquiry committees should be reinforced and the inter-institutional decision governing the exercise of Parliament's right of inquiry be amended accordingly;
196. Considers that Parliament should be adequately involved when the Community or the Union adopt measures affecting civil rights and liberties;
197. Calls for the establishment of an adequate and structured system of cooperation between Parliament and competent bodies of the United Nations and the Council of Europe when dealing with matters related to internal security of the European Union;
198. Calls for enhanced cooperation with national parliaments in order to share all information related to the fight against international terrorism;
199. Underlines the importance of a common definition of 'terrorism'; believes that the United Nations is the most suitable organisation to define the concept;

#### SECRET SERVICES

200. Fully endorses the conclusions of the Secretary-General of the Council of Europe, Terry Davis, about the lack of oversight and judicial control mechanisms in respect of security services, as expressed in the "Follow-up to the Secretary General's reports under Article 52 ECHR" and expects his recommendations to be duly taken into consideration; calls on Member States to provide adequate and effective parliamentary monitoring (by establishing oversight committees with appropriate powers to access documents and budgetary information) and legal supervision over their secret and intelligence services and the formal and informal networks of which they are part;
201. Considers it necessary to enhance the Conference of the Oversight Committees on the Intelligence bodies of the Member States, in which Parliament should be fully involved;

202. Considers that all European countries should have specific national laws to regulate and monitor the activities of third countries' secret services on their national territories, to ensure a better monitoring and supervision also of their activities, as well as to sanction illegal acts or activities, notably in violation of human rights;
203. Considers the reinforcement of cooperation between the secret and security services of Member States to be highly desirable, either on a multilateral basis, preferably within an EU framework, or on a bilateral basis, provided that a legal framework for it is created ensuring full democratic parliamentary and judicial control and human rights are respected and protected at all times;
204. Urges the Council and the Member States to establish as a matter of priority a system for the democratic monitoring and control over the joint and coordinated intelligence activities at EU level; proposes an important role for Parliament in this monitoring and control system;

#### AIR TRAFFIC

205. Urges the Member States to ensure that Article 3 of the Chicago Convention, which excludes state aircraft from the scope of the Convention, is properly implemented in order that all military and/or police aircraft fly over or land on another State's territory only if they have prior authorisation;
206. Calls on Member States to take adequate measures to ensure that overflight clearances for military and/or police aircraft should be granted only if accompanied by guarantees that human rights will be respected and monitored;
207. Considers it necessary to enforce effectively, both at EU and national level, the Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft so that the exercise of jurisdiction is used to ensure the observance of any obligation under a multilateral international agreement, in particular concerning the protection of human rights, and that, when appropriate, inspections on board should be undertaken;
208. Calls on the Commission to adopt adequate legislative proposals on transport safety, as provided for in Article 71 EC Treaty, taking into account the recommendations included in this resolution;
209. Recalls the Community competence in the field of transport, and notably transport security; asks the Commission, therefore, to take immediate action to ensure that the recommendations made by the Secretary-General of the Council of Europe as well as by Parliament are implemented;
210. Calls on the Commission to consider adopting rules on the use, monitoring and management of European airspace, on the use of EU airports and on the monitoring of non-commercial aviation;

#### INTERNATIONAL CONVENTIONS AND AGREEMENTS

211. Urges the Member States that have not yet done so to complete as soon as possible ratification of the 2003 EU-US Extradition Agreement, while taking adequate steps to avoid wrongly interpreting Article 12 of the Agreement, thereby ensuring that its scope does not extend beyond formal extradition and does not legitimise extraordinary

renditions;

212. Calls on European countries to support the rapid adoption by the UN General Assembly of the International Convention for the Protection of All Persons Against Enforced Disappearance, adopted on 29 June 2006 by the UN Human Rights Council;
213. Believes that, in providing for the adequate interpretation and enforcement of the UN Convention Against Torture, all European countries should ensure that their definition of torture is in accordance with Article 1 of the Convention and that, moreover, the obligations relating to the prohibition of torture are also fulfilled with respect to other acts of cruel, inhuman, degrading treatment referred to in Article 16 of the Convention; considers that all European countries should ensure that Article 3 of the Convention is properly enforced, in particular in relation to the activities of their secret services;
214. States that, given that the protection against *refoulement* is higher under the ECHR than under the Convention against Torture, European countries should ensure in any event the protection afforded by the ECHR; recalls, in this context, that the principle of *non-refoulement* is also recognised by the Court of Justice of the European Communities;
215. Calls on all European countries to sign and ratify the Optional Protocol to the Convention Against Torture and establish independent national mechanisms to monitor places of detention; emphasises the need to ensure that all such procedures used by the different international conventions on human rights are compatible;
216. Takes the view that the CPT should be granted access without delay or obstruction to any place of detention within the European countries, including foreign military bases, and provided with all relevant information concerning such detention, and that, to this end, any bilateral agreements that restrict the access of the CPT should be revised;
217. Urges all European countries to comply with the provisions of the Rome Statute of the International Criminal Court;
218. Believes that the European Union should encourage all third countries to become party to the Optional Protocol to the Convention against Torture and to the Convention on Enforced Disappearances;
219. Asks European countries to establish clear rules that provide for the possibility of State immunity being waived where illegal actions violate human rights;

*Administrative recommendations (at EU level)*

220. Takes the view that all internal services within the Council (inter alia, the Policy Unit and the Joint Situation Centre) and the Commission (the Crisis Management and Conflict Prevention Unit in the Directorate-General for External Relations and relevant services in the Directorate-General for Justice, Freedom and Security), should be strengthened in the framework of the implementation of the EU Security Strategy and the counter-terrorism strategy in close cooperation with all Member States, and that their cooperation with each other, as well as with Member States, be clearly regulated

and data protection be ensured; considers that Parliament should be involved fully in this regard by granting it oversight powers similar to those of national parliamentary oversight committees, and that the Court of Justice be granted competence in this area; underlines that the competence of the EU in the field of combating terrorism should be significantly strengthened;

### *EU relations with third countries*

221. Urges the European Union to stress in its contacts with third countries that the appropriate legal framework for governing the international fight against terrorism is criminal law and international human rights law;
222. Stresses the necessity of political dialogue with the US, as well as with other strategic partners of the European Union, on security matters in order to combat terrorism effectively and by legal means;
223. Calls on the European Union to recall that the full application of the 'democratic clause' is fundamental in its relations with third countries, especially those with which it has concluded agreements; calls on Egypt, Jordan, Syria and Morocco to provide clarity on their role in the extraordinary renditions programme;
224. Strongly believes that it is necessary to promote within the UN framework codes of conduct for all security and military services based on respect for human rights, humanitarian law and democratic political control, similar to the 1994 Code of Conduct on Politico-Military Aspects of Security of the Organisation for Security and Cooperation in Europe;

### *Final conclusions*

225. Stresses, in view of the powers it was provided with and of the time which it had at its disposal, and the secret nature of the investigated actions, that the Temporary Committee was not put in a position fully to investigate all the cases of abuses and violations falling within its remit and that its conclusions are therefore not exhaustive;
226. Recalls the principles and values on which the European Union is based, as provided in Article 6 of the Treaty on European Union, and calls on the EU institutions to meet their responsibilities in relation to Article 7 of the Treaty on European Union and all other relevant provisions of the Treaties, and to take all appropriate measures in the light of the conclusions of the work of the Temporary Committee, the facts revealed in the course of the Temporary Committee's investigation and any other facts that may emerge in the future; expects the Council to start hearings and commission an independent investigation without delay, as foreseen in Article 7, and, where necessary, to impose sanctions on Member States in case of a serious and persistent breaches of Article 6,



including where a violation of human rights has been declared by an international body but no measure has been taken to redress the violation;

227. Believes that the principle of loyal cooperation enshrined in the Treaties -which requires Member States and the EU institutions to take measures to ensure the fulfilment of their obligations under the Treaties, such as the respect of human rights, or resulting from action taken by the EU institutions, such as ascertaining the truth about alleged CIA flights and prisons, and to facilitate the achievement of EU tasks and objectives – has not been respected;
228. Recalls that in light of European Court of Human Rights case law, a signatory State bears responsibility for the material breach of the provisions of the ECHR, and therefore also of Article 6 of the Treaty on the European Union, not only if its direct responsibility can be established beyond reasonable doubt, but also by failing to comply with its positive obligation to conduct an independent and impartial investigation into reasonable allegations of such violations;
229. Notes the reports by reputable media operators that extraordinary rendition, illegal detention, and systematic torture involving many people is continuing, and considering the declaration by the current US Government that the use of extraordinary rendition and secret places of detention will be continued; therefore calls for an EU-US counter-terrorism summit to seek an end to such inhumane and illegal practices, and to insist that cooperation with regard to counter-terrorism is consistent with international human rights and anti-torture treaty obligations;
230. Instructs its Committee on Civil Liberties, Justice and Home Affairs, where necessary in cooperation with the Committee on Foreign Affairs, notably its Sub-Committee on Human Rights, to follow up politically the proceedings of the Temporary Committee and to monitor the developments, and in particular, in the event that no appropriate action has been taken by the Council and/or the Commission, to determine whether there is a clear risk of a serious breach of the principles and values on which the European Union is based, and to recommend to it any resolution, taking as a basis Articles 6 and 7 of the Treaty on European Union, which may prove necessary in this context;
231. Calls on its Secretary-General to publish, at least in compliance with Regulation 1049/2001, all the documents received, produced and examined, as well as the records of the proceedings of the Temporary Committee on the Internet as well as in any other appropriate manner and calls on the Secretary-General to ensure that the developments in fields falling within the remit of the Temporary Committee after its disbandment are monitored;

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232. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, of the candidate Member States and the associated countries, and to the Council of Europe, NATO, the United Nations and the Government and two Houses of Congress of the United States, and to request

them to keep Parliament informed of any development that may take place in the fields falling in the remit of the Temporary Committee.

## EXPLANATORY STATEMENT

Questa relazione finale é il frutto di un intenso anno di lavoro che ha visto direttamente coinvolti 46 deputati di tutti i gruppi politici, supportati dai funzionari del segretariato e dagli staff dei gruppi politici.

A conferma dell'impegno e della complessità del lavoro svolto, il relatore vuole ricordare alcune cifre significative:

- 33 riunioni di commissioni (ovvero più di 110 ore di riunione ufficiali);
- 10 riunioni del Bureau e con i coordinatori dei gruppi politici;
- 7 delegazioni ufficiali della commissione (Ex Repubblica Jugoslava di Macedonia; Stati Uniti; Germania; Regno Unito; Romania; Polonia; Portogallo)
- circa 200 testimoni auditi in commissione o in occasione delle missioni;
- 19 casi di *extraordinary renditions* presi in esame (tra questi va sottolineata la testimonianza diretta di quattro vittime di renditions);
- circa 700 emendamenti presentati ad entrambi i testi della risoluzione, provvisoria e finale;
- Migliaia di pagine di documenti ricevute e analizzate dalla commissione.

Il relatore ricorda che tutti i documenti prodotti (relazioni, documenti di lavoro, processi verbali e trascrizioni delle riunioni, relazioni delle delegazioni ufficiali, etc.), così come i documenti ricevuti (eccettuati quelli di carattere confidenziale), saranno resi disponibili anche al pubblico.

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Tutto il lavoro prodotto (i fatti analizzati, le testimonianze raccolte e di documenti ricevuti) viene ripreso nei nove documenti di lavoro che hanno lo scopo di dimostrare, approfondire e completare le conclusioni politiche della risoluzione finale. Tra questi documenti di lavoro, il relatore vuole soffermarsi sugli ultimi, in ordine di tempo, presentati:

- Il documento di lavoro n.7<sup>1</sup> è dedicato all'approfondimento dei singoli casi di *extraordinary renditions* esaminati da questa commissione, attraverso i dati relativi ai voli CIA utilizzati per il trasporto dei detenuti. Le informazioni su questi voli, fornite da Eurocontrol, costituiscono una prova inconfutabile delle *extraordinary renditions*. Emerge, in particolare, un quadro di illegalità non casuali né episodiche: l'esistenza di circuiti di *extraordinary renditions* che prevedono l'uso abituale degli aeroporti europei come *stop-over* o *staging points* per le missioni illegali dell'intelligence americana finalizzate al sequestro di presunti terroristi.
- Il documento di lavoro n. 8<sup>2</sup> consiste in uno studio analitico delle *shell companies* e degli aerei di cui si è servita la CIA per i 1245 voli di cui la nostra commissione ha

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<sup>1</sup> Documento di lavoro n. 7 PE 380.593.

<sup>2</sup> Documento di lavoro n. 8 PE 380984

potuto ricostruire ogni dettaglio: le caratteristiche degli aerei utilizzati, gli aeroporti di provenienza e di arrivo, il timing dei voli, gli scali intermedi e in particolare le cosiddette *suspicious locations*, ovvero quei luoghi di provenienza od origine in cui la commissione temporanea ha potuto constatare l'esistenza di centri di detenzione dove l'uso della tortura è risultato essere una pratica abituale.

- Il documento di lavoro n. 9<sup>1</sup> riguarda infine un quadro analitico e riepilogativo, paese per paese, delle informazioni raccolte dalla nostra commissione sui casi di *extraordinary renditions*, sui presunti centri di detenzione clandestina e sui ruoli delle autorità nazionali.

Va ricordato che, dietro la rigorosa enumerazione di episodi, evidenze e responsabilità contenute nella relazione vi sono anzitutto storie di esseri umani, in molti casi (e solo dopo anni di detenzione) riconosciuti del tutto estranei alle accuse mosse contro di loro. Si tratta di uomini privati dei loro più elementari diritti, spesso costretti a subire trattamenti degradanti e umilianti. E' bene tenere a mente che di queste vittime di *extraordinary renditions* - molto spesso cittadini o residenti europei - ci siamo potuti occupare solo perché la loro vicenda era ormai di pubblico dominio. Temiamo che molti altri abbiano subito il loro medesimo destino senza che la Storia (né questa Commissione) si sia potuta prendere cura di loro.

Infine, come complemento a queste motivazioni e alle conclusioni politiche incluse nelle due relazioni, il relatore allega tre documenti:

1. Un riepilogo di tutte le attività intraprese dalla commissione temporanea TDIP (allegato 1).
2. La lista di tutte le persone che hanno testimoniato davanti alla commissione o nel quadro di una delegazione ufficiale (allegato 2).
3. Un documento che riprende, dettagliatamente, la cooperazione offerta da ciascun Paese europeo alla nostra commissione (allegato3).
4. La lista di tutte le persone che hanno declinato l'invito di incontrare la commissione temporanea TDIP (allegato 4).

Per concludere, è dovere del Relatore ricordare che questa relazione finale così come tutti i documenti e le analisi da lui prodotti, sono il frutto di un difficile lavoro collettivo al quale hanno dato il loro apporto molti colleghi deputati (di tutti i gruppi politici). Una menzione particolare va ai funzionari del segretariato della commissione e ai collaboratori più prossimi del Relatore insieme a tutti gli altri funzionari del segretariato generale del Parlamento europeo e degli altri gruppi politici, anch'essi impegnati nel faticoso lavoro di questi mesi. A ciascuno di loro va la nostra gratitudine.

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<sup>1</sup> Documento di lavoro n. 9 PE 382.420

## Annex 1:

### TDIP Committee events

	DATE	TIME	INSTITUTION-PLACE	SUBJECT
	15 December 2005 - Thursday		European Parliament (EP) - Strasbourg (STR)	<b>Plenary sitting 1:</b> Resolution on presumed use of European countries by the CIA for the Transportation and Illegal Detention of Prisoners -TDIP-(P6_TA-PROV(2005)0529
EP PLENARY - Jan. (from 16 to 19)	18 January 2006 - Wednesday	12h00 - 13h00	EP - STR	<b>Plenary sitting 2:</b> Decision setting up a temporary committee on TDIP (P6_TA-PROV(2006)0012
	24 January 2006 - Tuesday	08h30	Council of Europe - Strasbourg	<b>Parliamentary Assembly 1:</b> Meeting of the Committee on Legal Affairs and Human Rights (Point 1 of the Agenda: <i>Alleged secret detentions in Council of Europe member states</i> ) and debate in plenary of the Parliamentary Assembly. Follow-up by the TDIP secretariat
	26 January 2006 - Thursday	09h00-10h00	EP - Bruxelles (BXL)	<b>TDIP Committee 1:</b> Constituent meeting (election of chairman, <u>Carlos COELHO</u> and vice-chairmen, <u>Baroness Sarah LUDFORD</u> , <u>Giorgos DIMITRAKOPOULOS</u> , <u>Cem OZDEMIR</u> )
	01 February 2006 - Wednesday	18h45 - 20h00	EP - BXL	<b>Steering group 1:</b> Provisional calendar of meetings and planning of the provisional report up to June 2006; Opening and transparency of proceedings; List of personalities/institutions to be invited; Committee delegations; Background information, specific studies, expertise
	08 February 2006 - Wednesday	18h45 - 20h00	EP - BXL	<b>Steering group 2:</b> Agreement on a working programme to be adopted by the Committee on 13 February 2006
EP PLENARY - Feb (from 13 to 16)	13 February 2006 - Monday	19h00 - 21h00	EP - STR	<b>TDIP Committee 2:</b> <u>Franco FRATTINI</u> , Vice-President of the European Commission; Adoption of the calendar of meetings and of the TDIP working programme until 30 June 2006; presentation by <u>Giovanni Claudio FAVA</u> , rapporteur
	14 February 2006 - Tuesday	14h30 - 15h00	EP - STR	<b>Press conference 1:</b> <u>Carlos COELHO</u> , chairman and <u>Giovanni Claudio FAVA</u> , rapporteur: Start of the committee proceedings

DATE	TIME	INSTITUTION-PLACE	SUBJECT
23 February 2006 - Thursday	9h00 - 12h00	EP - BXL	<b>TDIP Committee 3:</b> <u>Joanne MARINER</u> , Human Rights Watch; <u>Anne FITZGERALD</u> , Amnesty International; <u>Tony BUNYAN</u> , Statewatch
	15h00 - 18h30		<u>Armando SPATARO</u> , Prosecutor (Milan); <u>Dick MARTY</u> , Council of Europe
	19h30		<b>Working meal 1 (dinner):</b> Hosted by Carlos COELHO, (Bureau and coordinators) with <u>Dick MARTY</u> , Council of Europe
6 March 2006 - Monday	15 h00 - 17h30	EP - BXL	<b>TDIP Committee 4:</b> <u>Generale Nicolò POLLARI</u> , Italian Intelligence and Security Services (in camera); <u>Anne-Marie LIZIN</u> , President of the Senate of Belgium; <u>Jean Claude DELEPIERE</u> , Chairman of the Permanent Committee R
	17h30 - 18h30		<b>Steering group 3:</b> Treatment of confidential information; Organisation of TDIP Committee work
EP PLENARY - March (from 13 to 16)	13 March 2006 - Monday	Council of Europe - Paris	<b>Parliamentary Assembly 2:</b> Meeting of the Committee on Legal Affairs and Human Rights (Point 7 of the Agenda: <i>Alleged secret detentions in Council of Europe member states</i> ) with the participation of <u>Giovanni Claudio FAVA</u> , rapporteur
		EP - STR	<b>TDIP Committee 5:</b> <u>Khaled EL MASRI</u> (German citizen), alleged victim and his lawyer, <u>Manfred GNJIDIC</u>
21 March 2006 - Tuesday	15h00 - 18h00	EP - BXL	<b>TDIP Committee 6:</b> <u>Stephen GREY</u> , journalist (free lancer); <u>Guido OLIMPIO</u> and <u>Paolo BIONDANI</u> , journalists from <i>Il corriere della sera</i> (IT)
	18h00 - 19h00		<b>Steering group 4:</b> Delegations to FYROM and USA; Programme of future Committee meetings; Organisation of TDIP Committee meetings
23 March 2006 - Thursday	15h00 - 18h00	EP - BXL	<b>TDIP Committee 7:</b> <u>Maher ARAR</u> (Canadian citizen) alleged victim and his lawyers, <u>Lorne WALDMAN</u> and <u>Marlys EDWARDH</u> ; <u>Kjell JÖNSSON</u> , lawyer of Mohammed EL-ZARY (Egyptian citizen) alleged victim

DATE		TIME	INSTITUTION-PLACE	SUBJECT
EP PLENARY - April (from 3 to 6)	3 April 2006 - Monday	21h00 - 22h15	EP - STR	<b>TDIP Committee 8:</b> Preparation of the draft interim report (2006/2027 (INI))
		22h15 - 22h35		<b>Steering group 5:</b> Delegations to FYROM and USA; Treatment of confidential information ('Eurocontrol')
11 April 2006 - Tuesday		from 8h30	Council of Europe - STR	<b>Parliamentary Assembly 3:</b> Meeting of the Committee on Legal Affairs and Human Rights (Point 4 of the Agenda: <i>Alleged secret detentions in Council of Europe member states</i> ) Follow-up by the TDIP secretariat
20 April 2006 - Thursday		9h30 - 12h30	EP - BXL	<b>TDIP Committee 9:</b> <u>Craig MURRAY</u> , former UK ambassador to Uzbekistan; <u>Gijs DE VRIES</u> , EU's Counter-Terrorism Coordinator <u>Matías VALLES</u> , journalist from "Diario de Mallorca"; <u>Edward HORGAN</u> , former UN peacekeeper and Retired Commandant of the Irish Army
		15h00 - 18h30		
24 April 2006 - Monday		13h00	EP - BXL	<b>Working meal 2 (lunch):</b> Hosted by chairman COELHO with Thomas HAMMARBERG, CoE's Human Rights Commissioner
25 April 2006 - Tuesday		15h00 - 18h30	EP - BXL	<b>TDIP Committee 10:</b> Examination of the draft interim report; <u>Stephen H. OLESKEY</u> , Counsel for six citizens of Bosnia and Herzegovina imprisoned at Guantanamo Bay; <u>Srdjan DIZDAREVIC</u> , President of the Helsinki Committee for Human Rights in Bosnia and Herzegovina; <u>Michele PICARD</u> , former President of the Human Rights Chamber of Bosnia Herzegovina
26 April 2006 - Wednesday		11h00 - 12h00	EP - BXL	<b>Press conference 2:</b> <u>Carlos COELHO</u> , chairman and <u>Giovanni Claudio FAVA</u> , rapporteur: Presentation of the draft interim report (2006/2027 (INI))
27 April 2006 - Thursday		15h00 - 18h30	EP - BXL	<b>TDIP Committee:</b> (cancelled because of the delegation to Skopje)

DATE	TIME	INSTITUTION-PLACE	SUBJECT
27 April 2006 - Thursday (afternoon) / 29 April 2006 - Saturday (morning)	***	Skopje (FYROM)	<p><b>Delegation TDIP 1: Skopje (FYROM)</b> Sylvia-Yvonne KAUFMANN [acting chair], Giovanni Claudio FAVA, Wolfgang KREISSL-DÖRFLER, Raúl ROMEVA I RUEDA, Ryszard CZARNECKI</p> <p>Erwan FOUÉRÉ, Head of the European Commission delegation and EU Special Representative; Bancko CRVENKOVSKI, President of the Republic; Radmila SEKERINSKA, Deputy Prime Minister; Slobodan CASULE, Member of the Parliament; Siljan AVRAMOVSKI, Deputy Director of the Security and counter-Intelligence Directorate; Ljubomi MIHAILOVSKI, Minister of Interior; Ljupco JORDANOVSKI, President of the Assembly; Karolina RISTOVA-ASTERUD, President of the Parliament's EU Affairs Committee; Tenta ARIFI, President of the Parliament's Foreign Affairs Committee; Ganka SAMOILOVSKA CVETANOVA, Member of Parliament; Mirjana NAJCEVSKA, President of the Macedonian Helsinki Committee; Esad RAHIC, President of the Parliamentary Committee for Defence and Security; Stojan ANDOV, President of the Human Rights Parliamentary Committee; Zvonimir JANKULOVSKI, Security expert</p>
28 April 2006 - Friday	19h30 - 20h00	Skopje (FYROM)	<p><b>Press conference 3:</b> Sylvia-Yvonne KAUFMANN, acting chairwoman and Giovanni Claudio FAVA, rapporteur: Outcome of the delegation to FYROM</p>
02 May 2006 - Tuesday	14h30	EP - BXL	Informal meeting between Javier SOLANA and the Steering group
	15h00 - 18h30	EP - BXL	Javier SOLANA, EU High Representative for the CFSP; Alvaro GIL-ROBLES, Council of Europe's former Human Rights Commissioner
04 May 2006 - Thursday	9h30 - 12h30	EP - BXL	Exchange of views on the draft interim report (2006/2027 (INI)); Manfred NOWAK, United Nations Special Rapporteur on Torture
	15h00 - 18h30		Mats MELIN, Swedish Chief Parliamentary Ombudsman
	12h30 - 13h15	EP - BXL	<b>Press conference 4:</b> Sylvia-Yvonne KAUFMANN, acting chairwoman and Giovanni Claudio FAVA, rapporteur: Outcome of the delegation to FYROM



DATE		TIME	INSTITUTION-PLACE	SUBJECT
08 May 2006 - Monday (evening) / 12 May 2006 - Friday (morning)		***	Washington (USA)	<p><b>Delegation TDIP 2:</b> <b>Washington (USA)</b> Carlos COELHO, Baroness Sarah LUDFORD, Cem ÖZDEMİR, Giovanni Claudio FAVA, Jas GAWRONSKI, Jose-Ingnacio SALAFRANCA SÁNCHEZ-NEYRA, Wolfgang KREISSL-DÖRFLER, Giulietto CHIESA, Jean LAMBERT, Giusto CATANIA, Konrad SZYMANSKI, Mirosław PIOTROWSKI, Roger HELMER)</p> <p><u>John BRUTON</u>, Head of the European Commission Delegation; <u>Scott HORTON</u>, Chair of the committee on International Law; <u>Margaret L. SATTERTHWAITE</u>, Assistant Professor of Clinical Law and Faculty Director; <u>Barbara OLSHANSKY</u>, Director and Counsel (Guantanamo Global Justice Initiative); <u>Elisa MASSIMINO</u>, Director of the Washington, D.C. Office (Human Rights First); <u>Angela COLAIUTA</u>, Center for Victims of Torture, <u>John BRADSHAW</u>, Open Society Policy Center, <u>Smita BARUAH</u>, Physicians for Human Rights, <u>Jumana MUSA</u>, Advocacy Director for Domestic Human Rights and International Justice; <u>Jonathan SIFTON</u>, Counterterrorism Researcher, <u>Jennifer DASKAL</u>, US Advocacy Director; Representative <u>Robert WEXLER</u> (D-Florida); <u>Dan FRIED</u>, Assistant Secretary of State, <u>John BELLINGER</u>, Department of State's Legal Adviser; <u>Steven M. WATT</u>, Staff Attorney <u>Ann BEESON</u>, Associate Legal Director, <u>Chris ANDERS</u>, Legislative Counsel; Senator <u>Arlen SPECTER</u> (R) Pennsylvania; Senator <u>Richard DURBIN</u> (D) Illinois; Congressman <u>Ed MARKEY</u> (D) Massachusetts; <u>James WOOLSEY</u> (Former CIA Director 1993-1995); <u>David RIVKIN</u>, <u>Olivier GUITTA</u> and <u>Sally McNAMARA</u> from the American Legislative Exchange Council; <u>Morton H. HALPERIN</u>, <u>Lawrence J. KORB</u>, <u>Peter RUNDLETT</u> and <u>Ken GUDE</u> from the Center for American Progress; <u>Eva NOWOTNY</u>, Austrian Ambassador to the USA representing the EU Council's Presidency</p>
11 May 2006 - Thursday		17h30 - 18h15	Commission Delegation Washington (USA)	<p><b>Press conference 5:</b> <u>Carlos COELHO</u>, chairman and <u>Giovanni Claudio FAVA</u>, rapporteur: Outcome of the delegation to USA</p>
EP PLENARY - May (from 15 to 18)	15 May 2006 - Monday	21h00 - 22h30	EP - STR	<p><b>TDIP Committee 13:</b> Exchange of views on the Research Note on the international law concerning the prohibition of torture presented by a representative of the Legal Service of the EP; Report on the TDIP committee delegation to USA (Washington, 8 to 12 May 2006)</p>
	16 May 2006 - Tuesday	12h00		<p>Deadline for <u>submission of the amendments</u> to the draft interim report (Committee's Secretariat)</p>

DATE		TIME	INSTITUTION-PLACE	SUBJECT
	17 May 2006 - Wednesday	11h00 - 11h30		<b>Press conference 6:</b> <u>Carlos COELHO</u> , chairman and <u>Giovanni Claudio FAVA</u> , rapporteur: Outcome of the delegation to USA
	30 May 2006 - Tuesday	15h00 - 18h30	EP - BXL	<b>TDIP Committee 14:</b> Exchange of views on the study of the EU Network of Independent Expertise with Olivier DE SCHUTTER; Exchange of views on the amendments to the draft interim report (2006/2027 (INI));
	01 June 2006 - Thursday		EP - BXL	<b>TDIP Committee:</b> (cancelled by a committee decision)
	07 June 2006 - Wednesday	from 09h00	Council of Europe - Paris	<b>Parliamentary Assembly 4:</b> Meeting of the Committee on Legal Affairs and Human Rights (Point 3 of the Agenda: <i>Alleged secret detentions in Council of Europe member states: Consideration of a draft report and vote on a draft resolution and a draft recommendation</i> )
EP PLENARY - June (from 12 to 15)	12 June 2006 - Monday	19h00 - 20h30	EP - STR	<b>TDIP Committee 15</b> Vote of motion for a interim resolution (2006/2027 (INI)) midway through the TDIP work
	13 June 2006 - Tuesday	15h00-15h30		<b>Press conference 7:</b> <u>Carlos COELHO</u> , chairman and <u>Giovanni Claudio FAVA</u> , rapporteur: Outcome of the vote on the interim resolution in the Committee
	21 June 2006 - Wednesday	15h00	EP - BXL	<b>Meeting with rapporteur 1:</b> Brian JOHNSON-THOMAS, expert on arms trade
		18h45 - 20h15		<b>Steering group 6:</b> Informal exchange of views on eventual programme of work for the second semester of the year
	27 June 2006 - Tuesday	from 10h00	Council of Europe - Paris	<b>Parliamentary Assembly 5:</b> Plenary of the Parliamentary Assembly, 3rd part of 2006 Ordinary Session (Point 2 of the Agenda: <i>Alleged secret detentions in Council of Europe member states; Statement by <u>Franco FRATTINI</u>, Vice-President of the European Commission; Statement by <u>Giovanni Claudio FAVA</u>, rapporteur; vote on Legal Affairs and Human Rights Committee's report</i> )

DATE		TIME	INSTITUTION-PLACE	SUBJECT
EP PLENARY - July (from 3 to 6)	03 July 2006 - Monday	21h00 - 22h30	EP - STR	<b>TDIP Committee 16:</b> Exchange of views with <u>Dick MARTY</u> , Council of Europe
	05/06 July 2006	13h15 - 13h45		<b>Plenary sitting 3:</b> Debate(5 July) and vote(6 July) of the resolution (2006/2027 (INI)) midway through TDIP work
				<b>Press conference 8:</b> <u>Carlos COELHO</u> , chairman and <u>Giovanni Claudio FAVA</u> , rapporteur: Outcome of the vote on the resolution just adopted in Plenary (6 July)
10 July 2006 - Monday	15h00 - 18h00	EP - BXL	<b>TDIP Committee 17:</b> Working programme for the second half of the year; Munich prosecutor <u>Martin HOFMANN</u> (Germany) in charge of the El-Masri case	
	18h00 - 18h30		<b>Steering group 7:</b> Delegations to Germany, United Kingdom, Romania and Poland	
PLENARY - September I (from 4 to 7)	4 September 2006 - Monday	21h00 - 22h30	EP - STR	<b>TDIP Committee 18:</b> <u>Carlo BONINI</u> , journalist from La Repubblica (IT)
14 September 2006 - Thursday	09h00 - 12h30	EP - BXL	<b>TDIP Committee 19:</b> <u>Bernhard DOCKE</u> , Partner of Dr. Hannover and Partner Bremen, Lawyer of Murat KURNAZ; <u>Gül PINAR</u> , Lawyer of Mohammed ZAMMARS's family; <u>Francesca LONGHI</u> , Lawyer of Abou ELKASSIM BRITEL, Italian citizen	
	14h00 - 15h00		<b>Steering group 8:</b> State of play of TDIP Committee working programme (hearings and delegations); Preparation of TDIP Committee final recommendations	
	15h00 - 18h30		<b>TDIP Committee 19:</b> <u>Marek Antoni NOWICKI</u> , Former Kosovo Ombudsman (2000 - 2005); <u>Miguel Angel MORATINOS</u> , Minister for Foreign Affairs of Spain	

DATE		TIME	INSTITUTION-PLACE	SUBJECT
19 September 2006 - Tuesday		***	Berlin (Germany)	<p><b>Delegation TDIP 3: Berlin (GERMANY)</b> Carlos COELHO, (chairman), Giovanni Claudio FAVA, Jas GAWRONSKI, Wolfgang KREISSL-DÖRFLER, Alexander ALVARO, Cem ÖZDEMIR, Sylvia Yvonne KAUFMANN</p> <p><u>Hans-Martin TILLACK</u>, Stern Magazine; <u>Ferdinand MUGGENTHALER</u> and <u>Susanne BAUMANN</u>, Amnesty International; Members of the Bundestag's Inquiry Committee: <u>GROHE Hermann</u>, <u>HARTMANN Michael</u>, <u>HUBINGER Anette</u>, <u>JUNG Johannes</u>, <u>KASTER Bernhard</u>, <u>KAUDER Siegfried Kauder</u>, <u>KOHLER Kristina</u>, <u>KONIGSHAUS Hellmut</u>, <u>MAYER Stephan</u>, <u>MOGG Ursula</u>, <u>NACHTWEI Winfried</u>, <u>NESKOVIC Wolfgang</u>, <u>OPPERMANN Thomas</u>, <u>PAU Petra</u>, <u>STADLER Max</u> and <u>STRÖBELE Hans-Christian</u></p>
20 September 2006 - Wednesday		12h00	EP - BXL	<p><b>Meeting with rapporteur 2:</b> <u>Francis GAINCHE</u>, Adviser to the Director of the Central Flow Management (EUROCONTROL)</p>
EP PLENARY - September II (from 25 to 28)	25 September 2006 - Monday	21h00 - 22h30	EP - STR	<p><b>TDIP Committee 20:</b> <u>Hans BORN</u>, Senior fellow, Geneva Centre for the Democratic Control of Armed Forces (DCAF)</p>
02 October 2006 - Monday		16h15 - 17h00	EP - BXL	<p><b>TDIP Committee 21:</b> Exchange of views on the delegation to Berlin; Projection of the film "CIA: Guerre secrete en Europe"</p>
		17h00 - 18h30		<p><b>Steering group 9:</b> Treatment of confidential information; State of play of TDIP Committee working programme (hearings and delegations)</p>
03 October 2006 - Tuesday		09h00 - 12h30		<p><b>TDIP Committee 21:</b> <u>Victor AGUADO</u>, Director General of the European Organisation for the Safety of Air Navigation (EUROCONTROL); <u>Martin SCHEININ</u>, United Nations Special Rapporteur for promotion and protection of Human rights while countering terrorism</p>

DATE	TIME	INSTITUTION-PLACE	SUBJECT
04 October 2006-Wednesday (morning) 06 October 2006 - Friday (evening)	***	London (United Kingdom)	<p><b>Delegation TDIP 4: London (UNITED KINGDOM)</b> Sarah LUDFORD, [acting chair], Giovanni Claudio FAVA, Jas GAWRONSKI, Wolfgang KREISSL-DÖRFLER, , Jean LAMBERT, Giusto CATANIA, Miroslaw PIOTROWSKI</p> <p><u>Wahab El-Rawi</u>, brother of Bisher al-Rawi; <u>Clive Stafford Smith</u>, lawyer for Bisher al-Rawi, Jamil El-Banna and Binyam Mohamed; <u>Gareth Peirce</u>, lawyer for Bisher al-Rawi and Jamil El-Banna; <u>Brent Mickum</u>, US lawyer of Bisher al Rawi and Jamil El-Banna; <u>Rt Hon Michael Ancram MP</u>, Member of the Intelligence and Security Committee; <u>Martin Mubanga</u>; <u>Louise Christian</u>, lawyer of Martin Mubanga; <u>Eric Metcalfe</u>, representative from Justice; <u>Gareth Crossman</u>, representative from Liberty; <u>Anne Fitzgerald</u>, representative from Amnesty International; Ian Cobain and Richard Norton-Taylor, journalists from "The Guardian"; Stephen GREY, free-lance journalist; <u>Mike Gapes MP</u>, Chairman of the Foreign Affairs Committee (House of Commons); <u>Rt Hon Geoff Hoon MP</u>, Minister for Europe, Foreign and Commonwealth Office; <u>Andrew Tyrie MP</u>, Chairman of the All-Party Parliamentary Group on extraordinary rendition, comprising members of the House of Commons and House of Lords</p>
06 October 2006 - Friday	11h00 - 12h00	Commission Delegation London (United Kingdom)	<p><b>Press conference 9:</b> <u>Sarah LUDFORD</u>, acting chair and <u>Giovanni Claudio FAVA</u>, rapporteur: Outcome of the delegation to London</p>
09 October 2006 - Monday	15h00 - 18h30	EP - BXL	<p><u>Armando SPATARO</u>, Prosecutor (Milano)</p>
10 October 2006 - Tuesday	09h00 - 12h30		<p><b>TDIP Committee 22:</b> <u>Otmar LAHODINSKY</u>, Journalist and European editor of Austria's weekly magazine "Profil"; <u>Masaad Omer BEHARI</u>, Alleged victim of Sudanese origin, living in Vienna</p>

DATE	TIME	INSTITUTION-PLACE	SUBJECT
<p>17 October 2006 - Tuesday (morning) 19 October 2006 - Thursday (evening)</p>	<p>***</p>	<p>Bucharest (Romania)</p>	<p><b>Delegation TDIP 5: Bucharest (ROMANIA)</b> Carlos COELHO, (chairman), Giovanni Claudio FAVA, Sarah LUDFORD, Cem OZDEMIR, Frieda BREPOELS, Ana GOMES, Willy MEYER, Ryszard CZARNECKI</p> <p><u>Tapio SAARELA</u>, Finnish Ambassador representing the EU Council's Presidency; <u>Jonathan SCHEELE</u>, Head of the European Commission delegation; <u>Adrian Cosmin VIERITA</u>, Secretary of State for EU affairs, Ministry for Foreign Affairs; <u>Norica NICOLAI</u>, Senator, Chairwoman of the Special Inquiry Committee of the Romanian Senate; <u>Teodor MELESCANU</u>, Vice-president of the Romanian Senate; <u>Radu STROE</u>, Chairman of the Parliamentary Committee for the Oversight of the Romanian Intelligence Services; <u>Romeo RAICU</u>, Chairman of the Romanian Foreign Intelligence Service Oversight Parliamentary Committee; <u>Renate WEBER</u>, Chair of the Open Society Foundation; <u>Diana-Olivia CALINESCU</u>, Executive Director APADOR -CH (Romanian Helsinki Committee); <u>Calin COSMACIUC</u>, Journalist, Evenimentul Zilei; <u>Dan VULCAN</u>, Former chief inspector, Department of Civil Aviation, Ministry of Transport; <u>Catalin RADU</u>, Chief inspector, Department of Civil Aviation, Ministry of Transport; <u>Sergiu Tudor MEDAR</u>, National Security Adviser, Presidential Administration; <u>Anghel ANDREESCU</u>, Secretary of State for public order and security; <u>George MAIOR</u>, Head of the Romanian Intelligence Service; <u>Radu TIMOFTE</u>, Former Head of the Romanian Intelligence Service; <u>Maria IONESCU</u>, Editor in chief at "Observator de Constanta" newspaper; <u>Cristian RADU</u> and <u>Stefan CANDEA</u>, Romanian Centre for Investigative Journalism; <u>Alison MUTLER</u>, Associated Press Writer; <u>Mihaela DANGA</u>, Deputy Director at the Centre for Independent Journalism; <u>Ioan TALPES</u>, Senator, Member of the Committee for National Security and Defence; <u>Gheorghe FULGA</u>, Former Head of the Romanian External Intelligence Services</p>
<p>19 October 2006 - Thursday</p>	<p>11h23 - 12h00</p>	<p>Commission Delegation Bucharest (Romania)</p>	<p><b>Press conference 10:</b> <u>Carlos COELHO</u>, chairman and <u>Giovanni Claudio FAVA</u>, rapporteur: Outcome of the delegation to Bucharest</p>

DATE		TIME	INSTITUTION-PLACE	SUBJECT
EP PLENARY - October (from 23 to 26)	23 October 2006 - Monday	19h00 - 19h30	EP - STR	<b>TDIP Committee 23:</b> Exchange of views on the delegation to Romania (Bucharest)
		19h30 - 20h30		<b>Steering group 10:</b> Treatment of confidential information; State of play of TDIP Committee working programme (hearings and delegations)
08 November 2006 - Tuesday (morning) 10 November 2006 - Thursday (evening)		***	Warsaw (Poland)	<b>Delegation TDIP 6: Warszawa (POLAND)</b> Carlos COELHO, (chairman), Giovanni Claudio FAVA, Jas GAWRONSKI, Giulietta CHIESA, Sophia IN'T VELD, Cem OZDEMIR, Giusto CATANIA, Konrad SZYMANSKI, Bogusław ROGALSKI, Ryszard CZARNECKI  <u>Jarosław GIZIŃSKI</u> , Journalist, Newsweek Polska; <u>Paweł WRÓŃSKI</u> , Journalist, Gazeta Wyborcza; <u>Marek Antoni NOWICKI</u> , President, Helsinki Foundation for Human Rights; <u>Marek PASIONEK</u> , Undersecretary of State in the Chancellery of the Prime Minister; <u>Adam KRZYKOWSKI</u> , Journalist, Public TV Olsztyn; <u>Jarosław JURCZENKO</u> , Chairman of the Board, Szczytno/Szymany Airport; <u>Marek KSIAŻEK</u> , Journalist from the region of Szczytno (free lance); <u>Zbigniew SIEMIATKOWSKI</u> , former Head of the Foreign Intelligence Agency (AW) (2002 - 2004); <u>Jerzy KOS</u> , former Chairman of the Board, Szczytno/Szymany Airport.
10 November 2006 - Friday		13h30 - 14h00	Commission Delegation Warsaw (Poland)	<b>Press conference 11:</b> <u>Carlos COELHO</u> , chairman and <u>Giovanni Claudio FAVA</u> , rapporteur: Outcome of the delegation to Warsaw
EP PLENARY - November (from 13 to 16)	13 November 2006 - Monday	19h00 - 20h30	EP - STR	<b>TDIP Committee 24:</b> <u>Terry DAVIS</u> , Council of Europe's Secretary General
20 November 2006 - Monday		15h00 - 18h30	EP - BXL	<b>TDIP Committee 25:</b> <u>Wolfgang PETRITSCH</u> , former United Nations High Representative in Bosnia and Herzegovina; <u>Javier ZARAGOZA</u> and <u>Vicente GONZALEZ MOTA</u> , Spanish prosecutors

DATE	TIME	INSTITUTION-PLACE	SUBJECT
22 November 2006 - Wednesday	09h00 - 12h30	EP - BXL	<b>TDIP Committee 26:</b> <u>Murat KURNAZ</u> , victim; <u>Bernhard DOCKE</u> , Partner of Dr. Hannover and Partner Bremen, Lawyer of Murat KURNAZ
23 November 2006 - Thursday	15h00 - 18h30	EP - BXL	<b>TDIP Committee 27:</b> <u>Mariola PRZEWŁOCKA</u> , Former director of Szczytno/Szymany Airport (Poland)
28 November 2006 - Tuesday	15h00 - 18h30	EP - BXL	<b>TDIP Committee 28:</b> <u>Maurice MANNING</u> , president of the Irish Human Rights Commission and <u>Suzanne EGAN</u> , Commissioner of the Irish Human Rights Commission; presentation of the final report by <u>Giovanni Claudio FAVA</u> , rapporteur
28 November 2006 - Tuesday	18h30 - 20h00	EP - BXL	<b>Steering group 10:</b> TDIP Temporary Committee delegation to Lisbon, 6 December 2006
29 November 2006 - Wednesday	15h30 - 16h00	EP - BXL	<b>Press conference 12:</b> <u>Giovanni Claudio FAVA</u> , rapporteur: presentation of draft final report
30 November 2006 - Thursday	15h00 - 18h30	EP - BXL	<b>TDIP Committee 29:</b> <u>Dermot AHERN</u> , Irish Minister for Foreign Affairs; <u>Gerald STABEROCK</u> , International Commission of Jurists
06 December 2006 - Wednesday	****	Lisbon (Portugal)	<b>Delegation TDIP 7: Lisbon (PORTUGAL)</b> Carlos COELHO, (chairman), Sarah LUDFORD, Frieda BREPOELS, Wolfgang KREISSL-DÖRFLER, Raúl ROMEVA, Ana Maria GOMES <u>Luis AMADO</u> , Minister for Foreign Affairs, <u>Micael PEREIRA</u> and <u>Ricardo LOURENÇO</u> , journalists from "Expresso", <u>Maria Helena FALEIRO DE ALMEIDA</u> , Director of Economic Regulation of Instituto Nacional de Aviação Civil (INAC), <u>Fernando CARVALHO</u> , Administrator of Navegação Aérea de Portugal (NAV), <u>Manuel JARMELA PALOS</u> , Director of Serviço de Estrangeiros e Fronteiras (SEF), <u>heads of political groups</u> .



DATE		TIME	INSTITUTION-PLACE	SUBJECT	
EP PLENARY - December (from 11 to 14)	12 December 2006 - Tuesday	13h00 - 22h00	Mannheim (Germany)	<b>Fact finding mission 1:</b> Cem OZDEMIR, Vice- President	<u>Wolf-Dieter DIETRICH</u> , prosecutor; <u>Peter WRIGHT</u> , peace activist; Mr. <u>RÄBOCK</u> and Mr. <u>SCHINDLER</u> , witnesses (Coleman BARRACKS)
	14 December 2006 - Thursday	10h00 - 11h00	EP - STR	<b>TDIP Committee 30:</b>	Exchange of views on the draft final report
18 December 2006 - Monday		12h00	EP - BXL		Deadline for submission of the amendments to the draft final report (Committee's Secretariat)
		15h00 - 18h30		<b>TDIP Committee 31:</b>	Exchange of views on the delegation to Lisbon (Portugal); Exchange of views on the draft final report (continuation from the previous meeting)
19 December 2006 - Tuesday		09h00 - 12h30			
EP PLENARY - January (15 to 18)	15 January 2007 - Monday	19h00 - 20h30	EP - STR	<b>TDIP Committee 32:</b>	Exchange of views on the amendments to the draft final report
23 January 2007 - Tuesday		09h00 - 12h30	EP - BXL	<b>TDIP Committee 33:</b>	Vote of the motion for a resolution (2006/2200 (INI))
		14h30 - 15h00	EP - BXL	<b>Press conference 13:</b>	<u>Carlos COELHO</u> , chairman and Giovanni <u>Claudio FAVA</u> , rapporteur: Outcome of the vote on the motion for a resolution as adopted by TDIP Committee
EP PLENARY - February (12 to 15)	13 February 2007 - Tuesday	15h00 - 17h30	EP - STR	<b>Plenary sitting 4:</b>	Debate on the resolution on the outcome of TDIP work
	15 February 2007 - Wednesday	Midday		<b>Plenary sitting 5:</b>	Vote of the resolution
		After vote		<b>Press conference 14:</b>	Outcome of the vote on the resolution concluding TDIP work in Plenary

## Annex 2:

### Meetings in the Framework of the Committee's Work

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>EU Institutions</b>						
1	<b>FRATTINI Franco</b>	Vice-President	European Commission	19 December 2006	Brussels	Hearing
				13 February 2006	Strasbourg	
2	<b>BRUTON John</b>	Head of the European Commission delegation	European Commission	08 May 2006	Washington	Delegation
3	<b>SCHEELE Jonathan</b>	Head of the European Commission delegation	European Commission	17 October 2006	Bucharest	Delegation
4	<b>FOUÉRÉ Erwan</b>	Head of the European Commission delegation and EU Special Representative	FYROM	27 April 2006	Skopje	Delegation
5	<b>SOLANA Javier</b>	EU High Representative for the CFSP	Council of the European Union	02 May 2006	Brussels	Hearing
6	<b>DE VRJIES Gijs</b>	EU's Counter-terrorism Coordinator	Council of the European Union	20 April 2006	Brussels	Hearing
7	<b>SAARELA Tapio</b>	Finnish Ambassador to Romania representing the EU Council's Presidency	European Union Council's Presidency	17 October 2006	Bucharest	Delegation
8	<b>NOWOTNY Eva</b>	Austrian Ambassador to the USA representing the EU Council's Presidency	European Union Council's Presidency	08 May 2006	Washington	Delegation
<b>Governments</b>						
1	<b>AVRAMOVSKI Siljan</b>	Deputy Director of the Security and Counter-Intelligence Directorate	FYROM	28 April 2006	Skopje	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>Governments</b>						
2	<b>CRVENKOVSKI Branko</b>	President of the Republic	FYROM	27 April 2006	Skopje	Delegation
3	<b>MIHAILOVSKI Ljubomir</b>	Minister of Interior	FYROM	28 April 2006	Skopje	Delegation
4	<b>SEKERINSKA Radmila</b>	Deputy Prime Minister	FYROM	27 April 2006	Skopje	Delegation
5	<b>AHERN Dermot</b>	Minister for Foreign Affairs	Ireland	30 November 2006	Brussels	Hearing
6	<b>POLLARI Nicolò</b>	Head of the Italian Intelligence and Security Services	Italy	06 March 2006	Brussels	Hearing
7	<b>PASIONEK Marek</b>	Undersecretary of State at the Chancellery of the Prime Minister	Poland	09 November 2006	Warsaw	Delegation
8	<b>SIEMIĄTKOWSKI Zbigniew</b>	Former Head of the Foreign Intelligence Agency (AW)	Poland	10 November 2006	Warsaw	Delegation
9	<b>AMADO Luis</b>	Minister for Foreign Affairs	Portugal	05 December 2006	Lisbon	Delegation
10	<b>CARVALHO Fernando</b>	Administrator of Navegação Aérea de Portugal (NAV)	Portugal	05 December 2006	Lisbon	Delegation
11	<b>FALEIRO DE ALMEIDA Maria Helena</b>	Director of Economic Regulation of Instituto Nacional de Aviação Civil (INAC)	Portugal	05 December 2006	Lisbon	Delegation
12	<b>JARMELA PALOS Manuel</b>	Director of Serviço de Estrangeiros e Fronteiras (SEF)	Portugal	05 December 2006	Lisbon	Delegation
13	<b>ANDREESCU Anghel</b>	Secretary of State for public order and security	Romania	18 October 2006	Bucharest	Delegation
14	<b>FULGA Gheorghe</b>	Former Head of the Romanian External Intelligence Service	Romania	19 October 2006	Bucharest	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>Governments</b>						
15	<b>MAIOR George</b>	Head of the Romanian Internal Intelligence Service	Romania	18 October 2006	Bucharest	Delegation
16	<b>MEDAR Sergiu Tudor</b>	National Security Adviser, Presidential Administration	Romania	18 October 2006	Bucharest	Delegation
17	<b>RADU Catalin</b>	Chief Inspector, Department of Civil Aviation, Ministry of Transport	Romania	18 October 2006	Bucharest	Delegation
18	<b>ROMERO</b>	Deputy Director of the Romanian Internal Intelligence Service	Romania	18 October 2006	Bucharest	Delegation
19	<b>TIMOFTE Radu</b>	Former Head of the Romanian Internal Intelligence Service	Romania	18 October 2006	Bucharest	Delegation
20	<b>VIERITA Adrian Cosmin</b>	Secretary of State for EU affairs, Ministry for Foreign Affairs	Romania	17 October 2006	Bucharest	Delegation
21	<b>VULCAN Dan</b>	Former Chief Inspector, Department of Civil Aviation, Ministry of Transport	Romania	17 October 2006	Bucharest	Delegation
22	<b>MORATINOS Miguel Angel</b>	Minister for Foreign Affairs	Spain	14 September 2006	Brussels	Hearing
23	<b>HOON Geoff</b>	Minister for Europe, Foreign and Commonwealth Office	United Kingdom	05 October 2006	London	Delegation
24	<b>BELLINGER John</b>	Department of State Legal Adviser Office	USA	11 May 2006	Washington	Delegation
25	<b>FRIED Dan</b>	Assistant Secretary of State, Bureau of European and Eurasian Affairs	USA	11 May 2006	Washington	Delegation
26	<b>WOOLSEY James</b>	Former CIA Director	USA	12 May 2006	Washington	Delegation
<b>National Parliaments</b>						
1	<b>DELEPIÈRE Jean-Claude</b>	Chairman of the Permanent Committee R	Belgium	06 March 2006	Brussels	Hearing

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>National Parliaments</b>						
2	<b>LIZIN Anne-Marie</b>	President of the Senate of Belgium	Belgium	06 March 2006	Brussels	Hearing
3	<b>ANDOV Stojan</b>	President of the Human Rights Parliamentary Committee	FYROM	28 April 2006	Skopje	Delegation
4	<b>ARIFI Teuta</b>	President of the Foreign Affairs Committee	FYROM	28 April 2006	Skopje	Delegation
5	<b>CASULE Slobodan</b>	Member of Parliament (Former Minister of Foreign Affairs)	FYROM	27 April 2006	Skopje	Delegation
6	<b>JORDANOVSKI Ljupco</b>	President of the Parliament	FYROM	28 April 2006	Skopje	Delegation
7	<b>RAHIC Esad</b>	President of the Parliamentary Committee for Defence and Security	FYROM	28 April 2006	Skopje	Delegation
8	<b>RISTOVA-ASTERUD Karolina</b>	President of the Parliament's EU Affairs Committee	FYROM	28 April 2006	Skopje	Delegation
9	<b>SAMOILOVSKA CVETANOVA Ganka</b>	Member of the Parliament's EU Affairs and Foreign Affairs Committees	FYROM	28 April 2006	Skopje	Delegation
10	<b>GROHE Hermann</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
11	<b>HARTMANN Michael</b>	Vice-Chairman, 1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
12	<b>HUBINGER Anette</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
13	<b>JUNG Johannes</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
14	<b>KASTER Bernhard</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
15	<b>KAUDER Siegfried Kauder</b>	Chairman, 1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>National Parliaments</b>						
16	<b>KOHLER Kristina</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
17	<b>KONIGSHAUS Hellmut</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
18	<b>MAYER Stephan</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
19	<b>MOGG Ursula</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
20	<b>NACHTWEI Winfried</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
21	<b>NESKOVIC Wolfgang</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
22	<b>OPPERMANN Thomas</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
23	<b>PAU Petra</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
24	<b>STADLER Max</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
25	<b>STRÖBELE Hans-Christian</b>	1st Committee of Inquiry of the German Bundestag	Germany	19 September 2006	Berlin	Delegation
26	<b>MELESCANU Teodor</b>	Vice president of the Romanian Senate and Member of the Special Inquiry Committee	Romania	17 October 2006	Bucharest	Delegation
27	<b>NICOLAI Norica</b>	Senator, Chairwoman of the Special Committee of the Romanian Parliament	Romania	17 October 2006	Bucharest	Delegation
28	<b>RAICU Romeo</b>	Chairman of the Romanian Foreign Intelligence Service Oversight Parliamentary Committee	Romania	17 October 2006	Bucharest	Delegation
29	<b>STROE Radu</b>	Chairman of the Parliamentary Committee for the Oversight of the Romanian Intelligence Services	Romania	17 October 2006	Bucharest	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>National Parliaments</b>						
30	<b>TALPES Ioan</b>	Senator, Member of the Committee for National Security and Defence	Romania	19 October 2006	Bucharest	Delegation
31	<b>MELIN Mats</b>	Chief Parliamentary Ombudsman	Sweden	04 May 2006	Brussels	Hearing
32	<b>ANCRAM Hon Michael</b>	MP, Member of the Intelligence and Security Committee	United Kingdom	04 October 2006	London	Delegation
33	<b>TYRIE Andrew</b>	MP, Chairman of the All-Party Parliamentary Group on extraordinary rendition	United Kingdom	05 October 2006	London	Delegation
34	<b>DURBIN Richard</b>	Senator	USA	12 May 2006	Washington	Delegation
35	<b>HORTON Scott</b>	Chair of the Committee on International Law, House of Representatives	USA	09 May 2006	Washington	Delegation
36	<b>MARKEY Edward</b>	Member of House of Representatives	USA	12 May 2006	Washington	Delegation
37	<b>SPECTER Arlen</b>	Senator	USA	12 May 2006	Washington	Delegation
38	<b>WEXLER Robert</b>	Member of House of Representatives	USA	10 May 2006	Washington	Delegation
<b>Judiciary</b>						
1	<b>HOFMANN Martin</b>	Prosecutor, Munich	Germany	10 July 2006	Brussels	Hearing
2	<b>DIETRICH Wolf-Dieter</b>	Prosecutor, Mannheim	Germany	12 December 2006	Mannheim	Fact finding mission
3	<b>SPATARO Armando</b>	Senior Prosecutor, Milan	Italy	23 February 2006	Brussels	Hearing
				09 October 2006		
4	<b>GONZALEZ MOTA Vicente</b>	Prosecutor of Audencia Nacional	Spain	20 November 2006	Brussels	Hearing
5	<b>ZARAGOZA Javier</b>	Chief Prosecutor of Audiencia Nacional	Spain	20 November 2006	Brussels	Hearing

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
	<b>Council of Europe</b>					
1	<b>DAVIS Terry</b>	Secretary General	Council of Europe	13 October 2006	Strasbourg	Hearing
2	<b>GIL-ROBLES Alvaro</b>	Former Commissioner for Human Rights	Council of Europe	02 May 2006	Brussels	Hearing
3	<b>HAMMARBERG Thomas</b>	Commissioner for Human Rights	Council of Europe	24 April 2006	Brussels	Working lunch
4	<b>MARTY Dick</b>	Chairman of Legal Affairs and Human Rights Committee/ Rapporteur on alleged secret detentions of the Parliamentary Assembly	Council of Europe (Parliamentary Assembly)	23 February 2006	Brussels	Hearing
				03 July 2006	Strasbourg	
<b>International organisations</b>						
1	<b>AGUADO Victor</b>	Director General	Eurocontrol	03 October 2006	Brussels	Hearing
2	<b>GAINCHE Francis</b>	Adviser to the Director of the Central Flow Management	Eurocontrol	20 September 2006	Brussels	Rapporteur
3	<b>NOWICKI Marek Antoni</b>	Former Kosovo Ombudsman (2000-2005)& President of the Helsinki Foundation for Human Rights (Poland)	Kosovo	14 September 2006	Brussels	Hearing
			Poland	09 November 2006	Warsaw	Delegation
4	<b>NOWAK Manfred</b>	UN Special Rapporteur on Torture	United Nations	04 May 2006	Brussels	Hearing
5	<b>SCHEININ Martin</b>	UN Special Rapporteur for Promotion and Protection of Human Rights while Countering Terrorism	United Nations	03 October 2006	Brussels	Hearing
6	<b>PETRITSCH Wolfgang</b>	Former UN High Representative	United Nations: Bosnia & Herzegovina	20 November 2006	Brussels	Hearing
7	<b>PICARD Michèle</b>	Former President of Human Rights Chamber	United Nations / Council of Europe: Bosnia & Herzegovina	25 April 2006	Brussels	Hearing



No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
	<b>Victims</b>					
1	<b>BEHARI Masaad Omer</b>	Alleged victim of Sudanese origin, living in Vienna	Austria	10 October 2006	Brussels	Hearing
2	<b>ARAR Maher</b>	(Canadian citizen), alleged victim	Canada	23 March 2006	Brussels	Hearing
3	<b>EL MASRI Khaled</b>	(German citizen), alleged victim	Germany	13 March 2006	Strasbourg	Hearing
	<b>Victims</b>					
4	<b>KURNAZ Murat</b>	Victim	Germany	22 November 2006	Brussels	Hearing
5	<b>MUBANGA Martin</b>	Alleged victim	United Kingdom	04 October 2006	London	Delegation
	<b>Lawyers</b>					
1	<b>OLESKEY H. Stephen</b>	Counsel for Six citizens of Bosnia and Herzegovina imprisoned at Guantanamo Bay	Bosnia & Herzegovina	25 April 2006	Brussels	Hearing
2	<b>EDWARDH Marlys</b>	Lawyer of Maher ARAR	Canada	23 March 2006	Brussels	Hearing
3	<b>WALDMAN Lorne</b>	Lawyer of Maher ARAR	Canada	23 March 2006	Brussels	Hearing
4	<b>DOCKE Bernhard</b>	Lawyer of Murat KURNAZ	Germany	14 September 2006 22 November 2006	Brussels	Hearing
5	<b>GNJIDIC Manfred</b>	Lawyer of Khaled EL MASRI	Germany	13 March 2006	Strasbourg	Hearing
6	<b>PINAR Gül</b>	Lawyer of Mohammed ZAMMARS's family	Germany	14 September 2006	Brussels	Hearing
7	<b>LONGHI Francesca</b>	Lawyer of Abou ELKASSIM BRITEL	Italy	14 September 2006	Brussels	Hearing
8	<b>JÖNSSON Kjeff</b>	Lawyer of MOhammed EL-ZARY (Egyptian citizen), alleged victim	Sweden	23 March 2006	Brussels	Hearing

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>Lawyers</b>						
9	<b>CHRISTIAN Louise</b>	Lawyer of Martin MUBANGA	United Kingdom	04 October 2006	London	Delegation
10	<b>MICKUM Brent</b>	US lawyer of Bisher AL-RAWI and Jamil EL-BANNA	United Kingdom	04 October 2006	London	Delegation
11	<b>PEIRCE Gareth</b>	Lawyer for Bisher AL-RAWI and Jamil EL-BANNA	United Kingdom	04 October 2006	London	Delegation
12	<b>STAFFORD SMITH Clive</b>	Lawyer for Bisher AL-RAWI, Jamil EL-BANNA and Mohamed BINYAM	United Kingdom	04 October 2006	London	Delegation
<b>NGOs</b>						
1	<b>FITZGERALD Anne</b>	Senior Research Policy Adviser	Amnesty International	23 February 2006	Brussels	Hearing
				04 October 2006	London	Delegation
2	<b>DIZDAREVIC Srdjan</b>	President of the Helsinki Committee for Human Rights	Bosnia & Herzegovina	25 April 2006	Brussels	Hearing
3	<b>NAJCEVSKA Mirjana</b>	President of the Macedonian Helsinki Committee	FYROM	28 April 2006	Skopje	Delegation
4	<b>BAUMANN Susanne</b>	Amnesty International Germany	Germany	19 September 2006	Berlin	Delegation
5	<b>MUGGENTHALER Ferdinand</b>	Amnesty International Germany	Germany	19 September 2006	Berlin	Delegation
6	<b>DASKAL Jennifer</b>	US Advocacy Director	Human Rights Watch	10 May 2006	Washington	Delegation
7	<b>MARINER Joanne</b>	Director of Terrorism and Counterterrorism Program	Human Rights Watch	23 February 2006	Brussels	Hearing
8	<b>SIFTON John</b>	Counterterrorism Researcher	Human Rights Watch	10 May 2006	Washington	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>NGOs</b>						
9	<b>STABEROCK Gerald</b>	Director of the Global Security and the Rule of Law Programme	International Commission of Jurists	30 November 2006	Brussels	Hearing
10	<b>CALINESCU Diana-Olivia</b>	Executive Director APADOR-CH (Romanian Helsinki Committee)	Romania	17 October 2006	Bucharest	Delegation
11	<b>WEBER Renate</b>	Chair of the Open Society Foundation	Romania	17 October 2006	Bucharest	Delegation
12	<b>BUNYAN Tony</b>	Director	Statewatch	23 February 2006	Brussels	Hearing
13	<b>CROSSMAN Gareth</b>	Representative from Liberty NGO	United Kingdom	04 October 2006	London	Delegation
14	<b>METCALFE Eric</b>	Representative from Justice NGO	United Kingdom	04 October 2006	London	Delegation
15	<b>BARUAH Smita</b>	Physicians for Human Rights	USA	10 May 2006	Washington	Delegation
16	<b>BRADSHAW John</b>	Open Society Policy Center	USA	10 May 2006	Washington	Delegation
17	<b>COLAIUTA Angela</b>	Center for Victims of Torture	USA	10 May 2006	Washington	Delegation
18	<b>GUDE Ken</b>	Associate Director, International Rights and Responsibilities Program, The Center for American Progress	USA	12 May 2006	Washington	Delegation
19	<b>MASSIMINO Elisa</b>	Human Rights First, Director at the Washington office	USA	09 May 2006	Washington	Delegation
20	<b>MUSA Jumana</b>	Advocacy Director for Domestic Human Rights and International Justice	USA	10 May 2006	Washington	Delegation
21	<b>OLSHANSKY Barbara</b>	Director and Counsel of the Guantanamo Global Justice Initiative	USA	09 May 2006	Washington	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>Journalists</b>						
1	<b>LAHODYNSKY Otmar</b>	Journalist and European Editor of Austria's weekly magazine <i>Profil</i>	Austria	10 October 2006	Brussels	Hearing
2	<b>TILLACK Hans-Martin</b>	Journalist from <i>Stern Magazin</i>	Germany	19 September 2006	Berlin	Delegation
3	<b>BIONDANI Paolo</b>	Journalist from <i>Il Corriere della Sera</i>	Italy	21 March 2006	Brussels	Hearing
4	<b>OLIMPIO Guido</b>	Journalist from <i>Il Corriere della Sera</i>	Italy	21 March 2006	Brussels	Hearing
5	<b>BONINI Carlo</b>	Journalist from <i>La Repubblica</i>	Italy	04 September 2006	Strasbourg	Hearing
6	<b>GIZIŃSKI Jarosław</b>	Journalist from <i>Newsweek Polska</i>	Poland	08 November 2006	Warsaw	Delegation
7	<b>KRZYKOWSKI Adam</b>	Journalist from public TV <i>Olsztyn</i>	Poland	09 November 2006	Warsaw	Delegation
8	<b>KSIĄŻEK Marek</b>	Journalist from the region of Szczytno (free lance)	Poland	09 November 2006	Warsaw	Delegation
9	<b>WRÓŃSKI Paweł</b>	Journalist from <i>Gazeta Wyborcza</i>	Poland	09 November 2006	Warsaw	Delegation
10	<b>LOURENCO Ricardo</b>	Journalist from <i>Expresso</i>	Portugal	05 December 2006	Lisbon	Delegation
11	<b>PEREIRA Micael</b>	Journalist from <i>Expresso</i>	Portugal	05 December 2006	Lisbon	Delegation
12	<b>CANDEA Stefan</b>	Romanian Center for Investigative Journalism	Romania	18 October 2006	Bucharest	Delegation
13	<b>RADU Cristian</b>	Romanian Center for Investigative Journalism	Romania	18 October 2006	Bucharest	Delegation
14	<b>COSMACIUC Calin</b>	Journalist from the <i>Evenimentul Zilei</i>	Romania	17 October 2006	Bucharest	Delegation
15	<b>DANGA Mihaela</b>	Deputy Director at the Center for Independent Journalism	Romania	19 October 2006	Bucharest	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>Journalists</b>						
16	<b>IONESCU Maria</b>	Editor in chief at Observator de Constanta newspaper	Romania	18 October 2006	Bucharest	Delegation
17	<b>MUTLER Allison</b>	Associated Press Writer	Romania	18 October 2006	Bucharest	Delegation
18	<b>VALLES Matias</b>	Journalist from <i>Diario de Mallorca</i>	Spain	20 April 2006	Brussels	Hearing
19	<b>COBAIN Ian</b>	Journalist from <i>The Guardian</i>	United Kingdom	05 October 2006	London	Delegation
20	<b>NORTON-TAYLOR Richard</b>	Journalist from <i>The Guardian</i>	United Kingdom	05 October 2006	London	Delegation
21	<b>GREY Stephen</b>	Journalist free lance	United Kingdom	21 March 2006	Brussels	Hearing
				04 October 2006	London	Delegation
<b>Academics and research</b>						
1	<b>BORN Hans</b>	Senior Fellow of the Geneva Centre for the Democratic Control of Armed Forces (DCAF)	(DCAF) Geneva	25 September 2006	Strasbourg	Hearing
2	<b>JANKULOVSKI Zvonimir</b>	Security expert, (Former FYROM Ambassador to the Council of Europe)	FYROM	29 April 2006	Skopje	Delegation
3	<b>DE SCHUTTER Olivier</b>	Coordinator of the EU Network of Independent Experts	Network of Independent Experts on Fundamental Rights	30 May 2006	Brussels	Hearing
4	<b>ANDERS Chris</b>	Legislative Counsel, American Civil Liberties Union	USA	11 May 2006	Washington	Delegation
5	<b>BEESON Ann</b>	Associate Legal Director , American Civil Liberties Union	USA	11 May 2006	Washington	Delegation
6	<b>GUITTA Olivier</b>	Consultant, The American Legislative Exchange Council	USA	12 May 2006	Washington	Delegation

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
<b>Academics and research</b>						
7	<b>HALPERIN Morton H.</b>	Senior Fellow and Director of the Security and Peace Initiative, The Center for American Progress	USA	12 May 2006	Washington	Delegation
8	<b>KORB Lawrence J.</b>	Senior Fellow, The Center for American Progress	USA	12 May 2006	Washington	Delegation
9	<b>McNAMARA Sally</b>	International Relations Project Director, The American Legislative Exchange Council	USA	12 May 2006	Washington	Delegation
10	<b>RIVKIN David</b>	Partner, Baker & Hostetler LLP, The American Legislative Exchange Council	USA	12 May 2006	Washington	Delegation
11	<b>RUNDLET Peter</b>	Vice President for National Security, The Center for American Progress	USA	12 May 2006	Washington	Delegation
12	<b>SATTERTHWAITE Margaret L.</b>	Assistant Professor of Clinical Law & Faculty of New York University School of Law	USA	09 May 2006	Washington	Delegation
13	<b>WATT Steven M.</b>	Staff Attorney, American Civil Liberties Union	USA	11 May 2006	Washington	Delegation
<b>Others</b>						
1	<b>EGAN Suzanne</b>	Commissioner of the Irish Human Rights Commission	Ireland	28 November 2006	Brussels	Hearing
2	<b>MANNING Maurice</b>	President of the Irish Human Rights Commission	Ireland	28 November 2006	Brussels	Hearing
3	<b>HORGAN Edward</b>	Former UN peacekeeper and Retired Commandant of the Irish Army	Ireland	20 April 2006	Brussels	Hearing
4	<b>RÄBOCK</b>	Witness (Coleman BARRACKS)	Mannheim	12 December 2006	Mannheim	Fact finding mission
5	<b>SCHINDLER</b>	Witness (Coleman BARRACKS)	Mannheim	12 December 2006	Mannheim	Fact finding mission

No	Name	Function	Country/Institution	Date of the meeting	Place of the meeting	Remarks
	<b>Others</b>					
6	<b>WRIGHT Peter</b>	Peace activist	Mannheim	12 December 2006	Mannheim	Fact finding mission
7	<b>JURCZENKO Jarosław</b>	Chairman of the Board, Szczytno/Szymany Airport	Poland	09 November 2006	Warsaw	Delegation
8	<b>KOS Jerzy</b>	Former Chairman of the Board, Szczytno/Szymany Airport	Poland	10 November 2006	Warsaw	Delegation
9	<b>PRZEWŁOCKA Mariola</b>	Former Director of Szczytno/Szymany Airport	Poland	23 November 2006	Brussels	Hearing
10	<b>AL-RAWI Wahab</b>	Brother of Bisher AL-RAWI	United Kingdom	04 October 2006	London	Delegation
11	<b>MURRAY Craig</b>	Former Ambassador to Uzbekistan	United Kingdom	20 April 2006	Brussels	Hearing
12	<b>JOHNSON-THOMAS Brian</b>	Expert on arms trade	United Kingdom	21 June 2006	Brussels	Rapporteur

### Annex 3:

Table Summarizing Cooperation of the Governments with the TDIP Committee

Country	Reaction from Permanent Representatives to the TDIP invitation for cooperation (Chairman's letter of 22.02.2006)	Meetings <sup>1</sup>	Declinations to requests for meetings <sup>2</sup>	Useful elements provided to the TDIP
<b>Austria</b>	In reply general cooperation with the TDIP was declared.	None	Ursula PLASSNIK, Minister for Foreign Affairs	None
<b>Belgium</b>	No written reaction <sup>3</sup>	No request for a meeting	N/A	Belgian authorities provided logistical support for facilitating the movements of TDIP invitees.
<b>Bulgaria</b>	No written reaction	No request for a meeting	N/A	None
<b>Croatia</b>	No written reaction	No request for a meeting	N/A	None
<b>Cyprus</b>	In reply, an information that the invitation was received.	No request for a meeting	N/A	None
<b>Czech Republic</b>	No written reaction	No request for a meeting	N/A	None
<b>Denmark</b>	In reply general cooperation with the TDIP was declared.	None	Fleming HANSEN, Minister of Transportation	<ul style="list-style-type: none"> <li>• A copy of Government's reply to Council of Europe was sent,</li> <li>• A copy of detailed dossier prepared for the Danish Parliament with large amount of technical data about flights was provided by Government to the TDIP.</li> </ul>

<sup>1</sup> Please refer for more details to annex 2 of the Explanatory Statement

<sup>2</sup> Please refer for more details to annex 4 of the Explanatory Statement

<sup>3</sup> TDIP Secretariat received a copy of a letter dated 10.03.2006 of Foreign Minister De Gucht to other Ministers concerned and to Parliament requesting cooperation with TDIP



<b>Country</b>	<b>Reaction to the TDIP invitation for cooperation</b> (Chairman's letter of 22.02.2006)	<b>Meetings</b>	<b>Declinations to requests for meetings</b>	<b>Useful elements provided to the TDIP</b>
<b>Estonia</b>	No written reaction	No request for a meeting	N/A	None
<b>Finland</b>	No written reaction	No request for a meeting	N/A	None
<b>France</b>	In reply general cooperation with the TDIP was declared.	No request for a meeting	N/A	None
<b>Germany</b>	No written reaction	None	Frank-Walter STEINMEIER, Minister for Foreign Affairs  Klaus-Dieter FRITSCHÉ, Coordinator of Intelligence Services  Ernst UHRLAU <sup>1</sup> , President of BND	None
<b>Greece</b>	In reply:  • General cooperation with the TDIP was declared,  • A brief summary of national investigation was provided.	No request for a meeting	N/A	<ul style="list-style-type: none"> <li>• A copy of Government's reply to Council of Europe was sent,</li> <li>• After a request of the TDIP, Government provided transcripts of parliamentary activities and a brief summary of preliminary investigations of "the Pakistani case" (17.11.2006).</li> </ul>

<sup>1</sup> Mr Fritsche and Mr Uhrlau are high officials

<b>Country</b>	<b>Reaction to the TDIP invitation for cooperation</b> (Chairman's letter of 22.02.2006)	<b>Meetings</b>	<b>Declinations to requests for meetings</b>	<b>Useful elements provided to the TDIP</b>
<b>Hungary</b>	In reply general cooperation with the TDIP was declared.	No request for a meeting	N/A	None
<b>Ireland</b>	In reply general cooperation with the TDIP was declared.	Dermot AHERN, Minister for Foreign Affairs	Rory BRADY <sup>1</sup> , Attorney General	A copy of Governments reply to Council of Europe was sent.
<b>Italy</b>	In reply a further cooperation with the TDIP was declared (after meeting with general Pollari).	Nicolò POLLARI, Head of SISMI <sup>2</sup>	Enrico MICHELI, Secretary of State responsible for intelligence services	None
<b>Latvia</b>	No written reaction	No request for a meeting	N/A	None
<b>Lithuania</b>	No written reaction	No request for a meeting	N/A	None
<b>Luxembourg</b>	In reply general cooperation with the TDIP was declared.	No request for a meeting	N/A	A copy of Government's reply to Council of Europe was sent.
<b>Malta</b>	No written reaction	No request for a meeting	N/A	None
<b>Netherlands</b>	In reply general cooperation with the TDIP was declared.	No request for a meeting	N/A	None

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<sup>1</sup> Mr Brady is a high official

<sup>2</sup> General Pollari is a high official

Country	Reaction to the TDIP invitation for cooperation (Chairman's letter of 22.02.2006)	Meetings	Declinations to requests for meetings	Useful elements provided to the TDIP
<b>Poland</b>	In reply general cooperation with the TDIP was declared.	Marek PASIONEK <sup>1</sup> , Undersecretary of State at the Chancellery of the Prime Minister	Andrzej LEPPER, Deputy Prime Minister Anna FOTYGA, Minister of Foreign Affairs Radosław SIKORSKI, Minister of National Defence Zbigniew WASSERMANN, Minister Coordinator of Special Services	Copies of Government's replies to Council of Europe were sent.
<b>Portugal</b>	No written reaction	Luis AMADO, Minister for Foreign Affairs	None	After requests of the TDIP Chairman and of TDIP Member Ana Maria Gomes, Government provided a copy of Portugal's reply to Council of Europe (07.07.2006) and vast but not complete explanations and information about CIA flights (18.09.2006, 13.10.2006, 12.12.2006, 12.01.2007 and 16.01.2007).

<sup>1</sup> Mr Pasionek is a high official

Country	Reaction to the TDIP invitation for cooperation (Chairman's letter of 22.02.2006)	Meetings	Declinations to requests for meetings	Useful elements provided to the TDIP
<b>Romania</b>	In reply general cooperation with the TDIP was declared.	Anghel ANDREESCU, Secretary of State for public order and security Adrian Cosmin VIERITA, Secretary of State for EU affairs	Vasile BLAGA, Minister for Internal Affairs Mihai-Razvan UNGUREANU, Minister for Foreign Affairs	<ul style="list-style-type: none"> <li>• Copy of Government's reply to Council of Europe was sent,</li> <li>• Confidential report of Romanian Border Police on accident of a CIA plane was provided to the TDIP delegation by Government.</li> </ul>
<b>Slovakia</b>	No written reaction	No request for a meeting	N/A	None
<b>Slovenia</b>	No written reaction	No request for a meeting	N/A	None
<b>Spain</b>	In reply general cooperation with the TDIP was declared.	Miguel Angel MORATINOS, Minister for Foreign Affairs	Alberto SAIZ CORTES, Secretary of State, Director of CNI	None

Country	Reaction to the TDIP invitation for cooperation (Chairman's letter of 22.02.2006)	Meetings	Declinations to requests for meetings	Useful elements provided to the TDIP
<b>Sweden</b>	In reply: General cooperation with the TDIP was declared and a summary of national investigation was provided.	None	Carl BILDT, Minister for Foreign Affairs	None
<b>Turkey</b>	No written reaction	No request for a meeting	N/A	None
<b>United Kingdom</b>	No written reaction	HOON Geoff, Minister for Europe	Margaret BECKETT, Secretary of State for Foreign and Commonwealth Affairs Des BROWNE, Secretary of State for Defence John REID, Secretary of State for the Home Office Douglas Alexander, Secretary of State for Transport and Secretary of State for Scotland Elisa MANNINGHAM-BULLER, Director General of Security Service (MI5) John SCARLET <sup>1</sup> , Chief of the Secret Intelligence Service (MI6)	None

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<sup>1</sup> Ms Manningham-Buller and Mr Scarlet are high officials

## Annex 4:

### List of people who declined the TDIP Committee's invitations for meetings

- **COUNCIL OF THE EUROPEAN UNION**

**Javier SOLANA**, Secretary General and High Representative CFSP

*Reason given for not meeting the Committee:*

Mr Solana met with the TDIP Committee on 2nd May 2006 and agreed to meet once more. The second invitation of the Committee was turned down by Mr Solana as he has found some comments in the draft report of the TDIP Committee as "*unjust and erroneous*"<sup>1</sup>.

**Erkki TUOMIOJA**, President of the EU Council

No reason given for not meeting the Committee: "*I would like to underscore the importance attached to and the continued cooperation given by the Presidency and the Secretary-General/High Representative to your Committee's work even if I am not able to appear before your Committee.*"<sup>2</sup>

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- **AUSTRIA**

**Ursula PLASSNIK**, Minister for Foreign Affairs

According to State Secretary Hans Winkler, who replied on her behalf: "*Es liegen zu diesen Vorgängen keine weiteren Erkenntnisse vor, sodass keine weiteren Auskünfte erteilt werden können. Ein persönliches Erscheinen vor dem Ausschuss erscheint angesichts dieser Sachlage nicht erforderlich.*"<sup>3</sup>

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- **DENMARK**

**Fleming HANSEN**, Minister of Transportation

*Reason given for not meeting the Committee:*

All information available about the TDIP issues was sent to the Danish Parliament and has been forwarded to the EP.<sup>4</sup>

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<sup>1</sup> Letter of 14 December 2006 to EP President Josep Borrell

<sup>2</sup> Letter of 29 November 2006 to TDIP Chairman Carlos Coelho

<sup>3</sup> Letter of 13 December to TDIP Chairman Carlos Coelho

<sup>4</sup> Letter of 8 November 2006 to TDIP Chairman Carlos Coelho

- **GERMANY**

**Frank-Walter STEINMEIER**, Minister for Foreign Affairs

*Reason given for not meeting the Committee:*

Open in principle to meet but did not want to come before the Bundestag's Inquiry Committee would have finished dealing with the el-Masri case.<sup>1</sup>

**Klaus-Dieter FRITSCHKE**, Coordinator of Intelligence Services

**Ernst UHRLAU**, President of BND

*Reason given for not meeting the Committee:*

Not allowed to meet by Government.<sup>2</sup>

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- **IRELAND**

**Rory BRADY**, Attorney General

*Reason given for not meeting the Committee:*

No authorisation from Government.

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- **ITALY**

**Enrico MICHELI**, Secretary of State responsible for intelligence services

*Reason given for not meeting the Committee:*

Busy agenda.

**BIANCO Enzo**, Chairman of the Committee for Intelligence and Security Services and for State Secret

*Reason given for not meeting the Committee:*

Busy agenda.

**Gianni LETTA**, former Secretary of State responsible for intelligence services

*Reason given for not meeting the Committee:*

Mr Letta would not come, as the Secretary in office (Micheli) had refused.

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- **POLAND**

**Andrzej LEPPER**, Deputy Prime Minister

*Reason given for not meeting the Committee:*

Mr Lepper initially confirmed and afterwards another representative of Government was singled out to meet the TDIP delegation.

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<sup>1</sup> Letter of 30 November 2006 to TDIP Chairman Carlos Coelho

<sup>2</sup> Letter of 21 November 2006 of Minister Thomas de Maizière to TDIP Chairman Carlos Coelho

**Anna FOTYGA, Minister of Foreign Affairs**

*Reason given for not meeting the Committee:*

No information on the TDIP issues.<sup>1</sup>

**Radosław SIKORSKI, Minister of National Defence**

*Reason given for not meeting the Committee:*

Mr Sikorski initially confirmed and afterwards claimed busy agenda.

**Zbigniew WASSERMANN, Minister Coordinator of Special Services**

*Reason given for not meeting the Committee:*

Mr Wassermann seconded his deputy Under-Secretary Marek Pasionek<sup>2</sup> as the representative of Government.<sup>3</sup>

**Marek BIERNACKI, MP, Chairman of Special Services Committee of the Sejm**

*Reason given for not meeting the Committee:*

Mr Biernacki initially confirmed a meeting and afterwards informed that he had no information on TDIP issues and refused to meet.<sup>4</sup>

**Jerzy SZMAJDZIŃSKI, MP, former Minister of National Defence (2001 - 2005)**

*Reason given for not meeting the Committee:*

Busy agenda.

**Andrzej BARCIKOWSKI, former Head of the Internal Security Agency (ABW) 2002 - 2005**

*Reason given for not meeting the Committee:*

The law on national secrets forbids Mr Barcikowski to discuss the TDIP issues.

**Mariusz HARAF, Commander of Border Guards responsible for controls at the Szymany airport**

*Reason given for not meeting the Committee:*

Mr Haraf initially confirmed and later informed that the TDIP shall seek an authorisation for the meeting from Minister for Internal Affairs.

**Sylwester LATKOWSKI, film director and journalist (free lance)**

*Reason given for not meeting the Committee:*

Only an independent film would allow him to express his point of view on the TDIP issues without being misinterpreted.

**Paweł SMOLEŃSKI, Journalist from Gazeta Wyborcza**

*Reason given for not meeting the Committee:*

Mr Smolenski initially confirmed and later claimed busy agenda.

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<sup>1</sup> Letter of 16 October 2006 of Director Jarosław Lindenberg to TDIP Secretariat

<sup>2</sup> Mr Pasionek is not a member of Government but a civil servant

<sup>3</sup> Letter of 31 October 2006 to TDIP Chairman Carlos Coelho

<sup>4</sup> Letter of 27 October 2006 to TDIP Chairman Carlos Coelho



**Tomasz STAROWIEYSKI**, former Chairman of the Board of the Szczytno/Szymany Airport owner (2004 - 2006)

*Reason given for not meeting the Committee:*

Mr Starowieyski claimed that he could not devote the whole day for travelling to Warsaw and meeting the TDIP delegation.

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- **PORTUGAL**

**Luis A. FONSECA DE ALMEIDA**, President of National Institute for Civil Aviation (INAC)

*Reason given for not meeting the Committee:*

Mr Fonseca singled out Director Falerio de Almeida to represent the Institute, as he was not its President anymore at the time of the meeting.

**Carlos GONCALVES DE COSTA**, President of Conselho de Administração da NAV

*Reason given for not meeting the Committee:*

Mr Gonçalves singled out Mr Carvalho to represent the NAV as his agenda was busy.

**Antonio FIGUEIREDO LOPES**, former Minister for Home Affairs

**Paulo PORTAS**, former Minister for Defence

*Reason given for not meeting the Committee:*

Current Government's representatives would meet the TDIP delegation and no information on the TDIP issues.

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- **ROMANIA**

**Vasile BLAGA**, Minister of Internal Affairs

*Reason given for not meeting the Committee:*

Busy agenda - Secretary of State Vierita singled out to deputise Mr Blaga.

**Mihai-Razvan UNGUREANU**, Minister of Foreign Affairs

*Reason given for not meeting the Committee:*

Busy agenda - Secretary of State Andreescu singled out to deputise Mr Ungureanu.

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- **SPAIN**

**Alberto SAIZ CORTES**, Secretary of State, Director of CNI

*Reason given for not meeting the Committee:*

Another representative of Government was singled out to meet the delegation.

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- **SWEDEN**

Carl BILDT, Minister for Foreign Affairs

*Reason given for not meeting the Committee:*

Busy agenda.<sup>1</sup>

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- **UNITED KINGDOM**

Margaret BECKETT, Secretary of State for Foreign and Commonwealth Affairs

*Reason given for not meeting the Committee:*

Ms Beckett claimed busy agenda and singled out Minister Hoon to deputise her.

Des BROWNE, Secretary of State for Defence

John REID, Secretary of State for the Home Office

Douglas Alexander, Secretary of State for Transport and Secretary of State for Scotland

No reasons given for not meeting the Committee. Officials representing the Home Office, Ministry of Defence and the Department of Transport were present during the meeting with Minister Hoon.<sup>2</sup>

Elisa MANNINGHAM-BULLER, Director General of Security Service (MI5)

John SCARLET, Chief of the Secret Intelligence Service (MI6)

Irfan SIDDIQ, member of the Diplomatic Service

*Reason given for not meeting the Committee:*

No authorisation for a meeting from Government.

Richard DEARLOVE, former Head of MI6

Michael WOOD, former Legal Adviser of the Foreign & Commonwealth Office

No reasons given for not meeting the Committee.<sup>3</sup>

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- **FORMER YUGOSLAV REPUBLIC OF MACEDONIA**

Aleksandar BOZINOVSKI, Journalist of Vreme newspaper

*Reason given for not meeting the Committee:*

Logistical problems.

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<sup>1</sup> Letter of 7 December 2006 to TDIP Chairman Carlos Coelho

<sup>2</sup> Letter of 11 September 2006 of Minister Geoff Hoon to TDIP Head of Secretariat

<sup>3</sup> Letter of 27 July 2006 of Minister Margaret Beckett to TDIP Head of Secretariat

- **COUNCIL OF EUROPE**

Christos ROZAKIS, Vice-President of the European Court of Human Rights

*Reason given for not meeting the Committee:*

No authorisation from the ECHR.

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- **UNITED STATES OF AMERICA**

Condoleezza RICE, Secretary of State

*Reason given for not meeting the Committee:*

Government decided that Assistant Secretary of State Daniel Fried would represent it.

Pat ROBERTS, Chairman of the Select Committee on Intelligence of US Senate

*Reason given for not meeting the Committee:*

Mr Roberts' policy of confidentiality does not allow him to discuss the TDIP issues.

Jim BINGAMAN, Senator

Sam BROWNBACK, Senator

Jo Ann DAVIS, Member of House of Representatives

Russell FEINGOLD, Senator

Jane HARMAN, Member of House of Representatives

Pete HOEKSTRA, Member of House of Representatives

Darrell ISSA, Member of House of Representatives

John KERRY, Senator

Tom LANTOS, Member of House of Representatives

John Patrick LEAHY, Senator

Carl LEVIN, Senator

John McCain, Senator

Nancy PELOSI, Member of House of Representatives

John D. ROCKEFELLER, Senator

Christopher SHAYS, Member of House of Representatives

Chris SMITH, Member of House of Representatives

Porter J. GOSS, CIA Director

Tyler DRUMHELLER, former CIA agent

Michael SCHEUER, former CIA agent

No reason given for not meeting the Committee.

Colin POWELL, former Secretary of State

*Reason given for not meeting the Committee:*

No authority to discuss the topic.

Dana PRIEST, Journalist of Washington Post

*Reason given for not meeting the Committee:*

No permission for a meeting from her editors.

**BAER Bob, former CIA agent**

**Richard CLARKE, former CIA agent**

*Reasons given for not meeting the Committee:*

Busy agenda.

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- **EGYPT**

**Montasser AL-ZAYAT, Lawyer of Abu OMAR**

*Reason given for not meeting the Committee:*

Mr Al-Zayat initially confirmed and afterwards refused to meet without giving any reason.

**Hossam EL-HAMALAWY, Journalist**

*Reason given for not meeting the Committee:*

No authorisation from his publisher.

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- **OTHERS**

**Louise ARBOUR, UN High Commissioner for Refugees**

*Reason given for not meeting the Committee:*

Busy agenda.

**Jaap DE HOOP SCHEFFER, Secretary General of NATO**

*Reason given for not meeting the Committee:*

No intention to meet.

**Jakob KELLENBERGER, President of International Red Cross**

*Reason given for not meeting the Committee:*

The IRC's policy of confidentiality.

**George ROBERTSON, former Secretary General of NATO**

*Reason given for not meeting the Committee:*

Busy agenda.

**Michael STEINER, former Head of UN Interim Administration Mission in Kosovo**

*Reason given for not meeting the Committee:*

Mr Steiner claimed that authorisation of both UN Secretary General and German Foreign Minister would be needed to meet the TDIP Committee.

## PROCEDURE

<b>Title</b>	The alleged use of European countries by the CIA for the transportation and illegal detention of prisoners
<b>Procedure number</b>	2006/2027(INI)
<b>Committee responsible</b> Date authorisation announced in plenary	TDIP 18.1.2006
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	
<b>Rapporteur(s)</b> Date appointed	Giovanni Claudio Fava 26.1.2006
<b>Previous rapporteur(s)</b>	
<b>Discussed in committee</b>	14.12.2006 18.12.2006 15.1.2007
<b>Date adopted</b>	23.1.2007
<b>Result of final vote</b>	+ 28 - 17 0 3
<b>Members present for the final vote</b>	Alexander Alvaro, Frieda Brepoels, Kathalijne Maria Buitenweg, Giusto Catania, Carlos Coelho, Simon Coveney, Giorgos Dimitrakopoulos, Giovanni Claudio Fava, Jas Gawronski, Ana Maria Gomes, Ignasi Guardans Cambó, Sylvia-Yvonne Kaufmann, Magda Kósáné Kovács, Wolfgang Kreissl-Dörfler, Barbara Kudrycka, Sarah Ludford, Marian-Jean Marinescu, Claude Moraes, Józef Pinior, Mirosław Mariusz Piotrowski, Hubert Pirker, Bogusław Rogalski, Luca Romagnoli, Eoin Ryan, José Ignacio Salafranca Sánchez-Neyra, György Schöpflin, Inger Segelström, Hannes Swoboda, Konrad Szymański, Charles Tannock, Elena Valenciano Martínez-Orozco, Jan Marinus Wiersma
<b>Substitute(s) present for the final vote</b>	Panayiotis Demetriou, Proinsias De Rossa, Roger Helmer, Erna Hennicot-Schoepges, Jeanine Hennis-Plasschaert, Sajjad Karim, Helmut Kuhne, Jean Lambert, Henrik Lax, Bill Newton Dunn, Rihards Pīks, Marie-Line Reynaud, Bogusław Sonik, Josef Zieleniec
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Panagiotis Beglitis, Philip Bushill-Matthews, Pasqualina Napoletano, Neil Parish.
<b>Date tabled</b>	25.1.2007
<b>Comments</b> (available in one language only)	