

ROMÂNIA



PREȘEDINTE

# ORGANIZAȚIA PENTRU APĂRAREA DREPTURILOR OMULUI

No 25/2006

January 11, 2006  
Bucharest, Romania

To His Excellency  
**Mr. Josep Borrell Fontelles.**  
**President of the European Parliament**

By its specific activity, The Organization for Human Right Defence – OADO – is concerned about the way in which the fundamental human rights are known, observed and defended such as they are stipulated in The Universal Bill of Rights. As a consequence of the signals within the international media made by the same source – the Human Rights Watch organization regarding the existence of some other so called CIA detention centers in Bucharest and Timisoara, OADO has continued the investigations by its own initiative within the two big cities of Romania.

For this purpose, a commission of OADO specialists has made an information and verification visit to the military units and the institutions from Bucharest and Timisoara, which might have been involved within this matter.

We send you below the report made after the evaluation and verification visit. The report is the answer given by an NGO to the allegations raised by another NGO.

Please receive my sincere consideration and respect.

*Yours faithfully,*

**Prof. Dr. FLORENTIN ȘTECĂ**

O.A.D.O. PRESIDENT



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**THE REPORT**  
**OF THE OADO" COMMISSION OF EXPERTS THAT HAS**  
**INVESTIGATED THE ISSUE OF THE CIA DETENTION**  
**CENTERS FROM ROMANIA IN BUCHAREST AND TIMISOARA**

**I. GENERAL CONSIDERATIONS UPON THE ISSUE**

1. As a consequence of the public presentation within the press conference from 06.12.2005 of the report made by the OADO commission of experts regarding the investigation in Dobrogea area of the CIA detention centers issue, there have been signals within the international media made by the same source – the Human Rights Watch organization regarding the existence of some other so called CIA detention centers in Bucharest and Timisoara. The Organization for Human Rights Defence – OADO – has continued the investigations by its own initiative within the two big cities of Romania – Bucharest and Timisoara. The main reason of the investigations has been the fact that organisms and officials of the European Union have invoked the possible delay of Romania's adherence to the European Union due to this situation.

2. Taking into account the above mentioned, as well as the appeals and the requests of the Romanian and international authorities in order to involve the components of the Civil Society for clarifying the issue regarding the supposed CIA detention centers in new locations from Romania, OADO – a nongovernmental institution of public authority and a member with Special Consultative Status of the Economic and Social Council (ECOSOC) of the United Nations – by the same commission of experts, between 8-15 of November, 2005, has made verification visits to the units and institutions from Bucharest and Timisoara, which might have been involved within this matter.

3. Having the approval of the Army General Major Staff, the Ministry of Administration and Internal Affairs, and the National Administration of Penitentiaries, the commission has investigated the following objectives:

- The Bucharest-Otopeni Air Base;
- The Timisoara Air Base;
- The Police General Department from Timisoara County;
- The Border Police Department from Timisoara County;

- The Penitentiary with maximum security regime from Timisoara County;

## **II. OBSERVATIONS**

1. There have not been found any foreign detainee or any clues – documents with official recordings or witnesses' statements – to prove or support the idea that such persons have existed.

In 2003-2005, the police forces from the Timis County have investigated 208 foreign persons, from which 9 persons have been arrested or held. 14 Iraqi citizens have been investigated among the already mentioned persons. They have been freed in 2003-2004.

There have been 23 foreign detainees of different nationalities – among whom two Iraqi persons – that have been hosted on different periods of detention at the Timisoara Penitentiary. From the above-mentioned mentioned persons, only 10 were still in the Penitentiary when our investigation has been deployed, none of them being from Iraq. Among the 3.300.000 of foreign citizens that have been registered on the state border within the Timisoara Border Police Department area of competence, have been 1484 of citizens from Arabian countries, none of them being held for offences related to terrorism.

2. Within the air bases and the other above mentioned locations – that have been verified by the commission – have not been observed any modifications or arrangements of the existent buildings in order to ensure the specific conditions and measures of detention for such dangerous persons suspected of terrorism.

There have not been identified any tracks or material proofs specific to such a detention center for terrorists. Such center would suppose the ensurance of some minimum surviving conditions (water, food, electric installations etc), a special area built or arranged in order to hold the detainees, to investigate and supervise them, as well as some transport means for persons (detainees, supervisors, guardians) or materials (food, equipment etc).

3. The militaries in transit or those who have participated to common exercises, who have temporarily left their planes that have landed on the civil airports Henry Coanda from Bucharest and Traian Vuia from Timisoara, have fulfilled the legal customs office formalities of crossing the

Romanian state border. We would like to mention that the military air bases from Bucharest-Otopeni and Timisoara do not have their own airstrips and the air traffic control, as well as the procedures of landing-taking off are coordinated exclusively by the authorized civil authorities. When finishing the activities to which they have participated, the respective foreign militaries have left Romania.

4. The commanders and the leading personnel of the verified units and institutions have stated that within the respective objectives have not been made secret detention centers and they have not been solicited to make any. At the same time, they have shown their indignation towards such allegations. They have also shown maximum of availability and transparency regarding the investigations deployed by the OADO commission of experts. At the same time, tens of employees that have been asked about this issue have stated that they do not know anything about such centers, suspected persons, measures, or actions that might bring suspicions regarding the violation of the legal dispositions.

### **III. CONCLUSIONS**

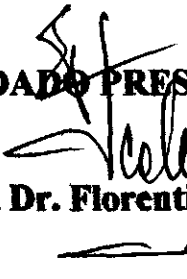
The conclusions that have been drawn as a consequence of the investigations that have been made within the already mentioned units and institutions are similar to those presented within the previous report.


The conclusions are:

- There have not been confirmed any of the suppositions made by Human Rights Watch, Amnesty International and other American or European officials regarding the organization and functioning within Bucharest or Timisoara of some centers or places of detention and investigation by torture means of CIA detainees.
- All the foreign persons, including the militaries that got off the planes on the Romanian territory have been registered and have fulfilled the legal customs office formalities of crossing the Romanian state border.
- THE SUPPOSITION REGARDING THE TRANSFER BY AIR OF SOME DETAINEES SUSPECTED OF TERRORISM CANNOT BE COMPLETELY EXCLUDED, WITHIN THE SITUATION IN WHICH THEY HAVE NOT LEFT THE PLANE AFTER

**LANDING; THEY HAVE NOT LEFT THE FOREIGN PLANES IN TRANSIT, WHICH ARE UNDER THE EXTRA-TERRITORIALITY PRINCIPLE.**

The OADO commission of experts has presented the above-mentioned conclusions together with video images within the Press Conference held on December 15, 2005 that has been organized at the siege of the Timis Prefect's Office.

**OADO PRESIDENT**  
  
**Prof. Dr. Florentin Căciulea**



This report shall be sent to the members of the European Commission, to Mr. Jose Manuel BAROSO – President of the European Commission, to Mr. Josep Borrell Fontelles – President of the European Parliament, to Mr. Bertrand Ramcharan – High Commissioner for Human Rights, to Mr. Tony Blair – Prime Minister of the United Kingdom of Great Britain, to Mr. Jakob Gijbert De Hoop Sheffer – the NATO Secretary General, to Her Excellency Lady Baroness Emma Nicholson, to Mrs. Hanifa Mezoui – Chief Non-Governmental Section UN, to Mr. Kofi Annan – Secretary-General of the United Nations, to Mr. Lorne W. Craner – Assistant Secretary of State the US Department of State, to Mr. Luzius Wildhaber – President of the European Court for Human Rights, to Mr. Pierre Moscovici – Rapporteur for Romania of the European Parliament, to Mr. Olli Rehn – European Commissioner for Enlargement, to Mr. Johnathan Scheele – the Ambassador of EU at Bucharest, to Mrs. Socknan Han Jung – the Resident Representative of the U.N.I.C. at Bucharest, to Mr. Javier Solana - Secretary General High Representative CFSP, to Mr. Jack Straw – Secretary of State for Foreign and Commonwealth Affairs UK, to Mr. Terry Davis – Secretary General of the Council of Europe, to Mr. Nicholas F. Taubman – the Ambassador of the USA at Bucharest, to Mrs. Irene Khan – Amnesty International Secretary General and to Mr. Kenneth Roth – Human Rights Watch Executive Director.