

Angela Merkel,  
President of the European Council

Brussels, 18 June 2007  
Our ref: B680

### **European Council 21-22 June 2007**

#### **Open letter to Heads of State or Government of the European Union to ban CIA renditions**

One year ago, Amnesty International addressed an open call to the European Council to ban the unlawful practice of rendition by which individuals have been illegally detained and secretly flown to third countries where they have been subjected to torture and disappearance.

Since then, new reports and investigations have revealed the extent of CIA illegal practices in the fight against terrorism and confirmed EU and EU Member States complicity in the US led renditions programme.

Just ten days ago, on 8 June 2007, Senator Dick Marty, rapporteur of the inquiry set by the Parliamentary Assembly of the Council of Europe, presented a second report confirming that the CIA has operated secret detention centres in Europe, including in two EU Member States, namely in Poland and Romania. At the same time, Amnesty International, together with five major human rights groups, published a list of 39 individuals who are believed to have been subject to enforced disappearance, casting more light on the wide-ranging U.S detention system in the context of the "war on terror", and the consequent grave violations of human rights of detainees and their families.

Against such a background, the argument of lack of evidence can less than ever serve as a justification for the EU to avoid its moral and political responsibilities. The questions around the location of the secret prisons in particular should in no way distract the EU and its Member States from the main issue at stake, which is that the EU and EU governments have colluded with the US leading to what amounts to a total breakdown of the rule of law.

Yet, the Council and Member States' governments have remained silent all along, refusing to be held accountable for any of the grave human rights violations at stake, denying their involvement, understating the report's findings, while at the same time invoking concepts of state secrecy or national security to justify their silence and lack of cooperation with past and ongoing inquiries.

Amnesty International calls once again on the European Council to break its shameful silence and inaction. EU leaders must at last acknowledge individual and collective responsibilities and take action to prevent such abuse from occurring again. If EU Member States, belonging to the same "Union of values" persist denying their responsibility, this would reflect a structural and persistent breach of those very values that qualifies for scrutiny provided in the framework of Article 7 TEU.

Amnesty International urges the European Council to cast full light on past and present involvement in CIA illegal activities in Europe and reaffirm its commitment to human rights by taking all measures to guarantee that international and European standards are fully respected and enforced in the fight

against terrorism. Unsubstantiated denials are no longer acceptable. The EU and EU Member States' governments need to respond in detail to the charges that have accumulated.

The challenge for the EU and its Member States remains to:

- stop all ongoing violations;
- bring to justice those responsible for human rights violations;
- ensure reparation to victims; and
- prevent further such serious breaches of human rights in the future.

The lack of any meaningful response from the Council poses a serious problem for the credibility of the EU and ultimately also for the effectiveness of the counter-terrorism effort itself.

Yours sincerely,



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