



Questionnaire

National Parliaments' activities on alleged CIA activities in European countries

COUNTRY: **Czech Republic**

CHAMBER: The Chamber of Deputies

1. Was there a special committee formed in your chamber, similar to the one of the EP's Temporary Committee on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners - TDIP?

Yes:

No:

2. Does any other permanent committee of your chamber deal with the matters?

Yes:

No:

3. A) Which permanent committee in your Chamber supervises intelligence services of your country?

Name:

Permanent Commission for oversight of the Security Information Service (SIS) activities

What is its mandate:

The role of both Commissions is merely supervising, it has no right to intervene to the personal affairs or to the management of the services. SIS and MI directors have to submit to the relevant Commission the statute of the service, its budget and all necessary budget-details. They also submit the tasks ordered by the government or president. They submit their internal regulations too. At request, SIS or MI director submits a report on SIS (MI) activities, report on the usage of means (in cases that are already closed) or a comprehensive report on number and kind of cases, where the service is still active.

If the Commission believes that the Service violates the law or rights of citizens, it can demand explanation from its director. If the commission finds out, that the SIS or MI (or one of its employees) have violated the law, it is obliged to inform the SIS (MI) director and the Chief Public Prosecutor.

MPs involved:

SIS: Vlastimil Dlab (Communist party), Tatána Fischerová (Union of Freedom – Democratic Union), Pavel Honig, Petr Ibl, Radim Turek (all Social democrats), Jan Klas – chairman, Ivan Langer (Civic democratic party)

Outcome and work programme in the area of these allegations:

Not available

3. B) Which permanent committee in your Chamber supervises intelligence services of your country?

Name:

Permanent Commission for oversight of the Military Intelligence (MI) activities

What is its mandate:

The role of both Commissions is merely supervising; it has no right to intervene to the personal affairs or to the management of the services. SIS and MI directors have to submit to the relevant Commission the statute of the service, its budget and all necessary budget-details. They also submit the tasks ordered by the government or president. They submit their internal regulations too. At request, SIS or MI director submits a report on SIS (MI) activities, report on the usage of means (in cases that are already closed) or a comprehensive report on number and kind of cases, where the service is still active.

If the Commission believes that the Service violates the law or rights of citizens, it can demand explanation from its director. If the commission finds out, that the SIS or MI (or one of its employees) have violated the law, it is obliged to inform the SIS (MI) director and the Chief Public Prosecutor.

MPs involved:

MI: Václav Frank (Communist party), Tomáš Kladívko - chairman, Jan Vidím (Civic democratic party), Antonín Sedá, Karel Šplíchal (both Social democrats), Pavel Severa (Christian democratic party), Robert Vokáč (Union of Freedom – Democratic Union)

Outcome and work programme in the area of these allegations:

Not available

4. Has your Chamber been involved in another activities relating to these allegations (debate, report, etc.)?

A discussion on this subject at the Chamber of Deputies took place at the following occasions:

- 51. plenary session of the Chamber of Deputies: 14 December 2005

<http://www.psp.cz/eknih/2002ps/stenprot/051schuz/51-14.html> (in Czech only) Discussion on the CIA flights when approving the government decision on flying over and transits of foreign armies across Czech territory.

There is no english translation of this discussion, but let me provide you with a brief resumé instead:

English resumé from the debate (unofficial):



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The original subject of the debate was information by the government on its decision on flyovers and transits of foreign countries across Czech territory during year 2006. These flyovers are mainly related to the participation of Czech republic in NATO and its programmes (PfP).

In the context of the then big topic (CIA activities in Europe), the debate slipped little bit into this direction. However, the MPs themselves recognized there was not enough of space for such discussion within this point. Accordingly, the debate was very short and without any conclusion.

The MEPs were mostly concerned by following: 1) Does Czech government have any means to identify what is on board of these planes? 2) How can the chamber of deputies effectively control the flyovers, when it only receives bald statistical information on number and type (but not the purpose) of these planes? 3) Vladimir Lastuvka (foreign committee chairman) asked the government for assurances, that the Czech republic will not become a place where foreign planes land with captives on board. That would be in collision with CR's international commitments (International Convention on torture ban). 4) Vaclav Exner (Communist party) noted that media releases on alleged landings of CIA planes in CR should be clarified.

Minister for foreign affairs Cyril Svoboda informed the MEPs he was assured by Condoleezza Rice that the US respected all international commitments including the Convention on torture ban. IF there was some excess, the US administration would immediately punish the offender. Minister also noted that within the fight against terrorism a close cooperation of Security Services is needed to promote our lives, our values and democracy.

Vaclav Exner reacted that in the recent past there have been many examples indicating Violation of the Convention on torture ban by United States. Moreover, during her recent trip in Europe Rice admitted that there is some transportation of the so-called „illegal fighters“. These transports are not covered by any regime. But these people often are not even delivered any accusation.

In the end, MPs and government officials agreed that the topic of CIA activities in Europe, including its treatment of „illegal fighters“ could and should be discussed later as a separate issue – probably on the level of foreign affairs committee or security committee.

Final commentary (Vaclav Sterba, Parliamentary institute):

Despite of the demonstrated will to occupy themselves closer with the CIA topic, the MPs haven't yet come back to the issue. Moreover, since there are parliamentary elections coming in June, such debate can not be expected (if at all) earlier than in half a year.

There have also not been any (public) activities by the Permanent Commissions for Oversight of Security Information Service and Military Intelligence. To get more information on the Commissions' activities on the CIA Issue, you would have to contact directly the chairman (Jan Klas, Tomáš Kladívko).

You can get the contact information here:

<http://www.psp.cz/cgi-bin/eng/sqw/organy.sqw>