



Chamber hearing concerning alleged secret “rendition” in a case against Lithuania

The European Court of Human Rights is holding a **Chamber hearing** today **Wednesday 29 June 2016 at 2.45 p.m.** in the case of **Abu Zubaydah v. Lithuania** (application no. 46454/11)

The case concerns the alleged “rendition” of a man suspected of terrorist acts to CIA secret detention sites, where, according to his lawyers’ submissions, illegal interrogation methods amounting to torture were used.

After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage. The hearing will be broadcast in due course on the Court’s Internet site (www.echr.coe.int).

The applicant, Abu Zubaydah is a stateless Palestinian, who was born in 1971 in Saudi Arabia. He is currently detained in the Internment Facility at the United States (US) Guantanamo Bay Naval Base in Cuba. At the time of his capture, he was considered by the US authorities as one of the key members of the terrorist network Al’ Qaeda, who played a role in several terrorist operations, including planning the attacks of 11 September 2001 in the US.

Mr Abu Zubaydah submits that on 27 March 2002 he was captured in Pakistan and then kept in CIA secret detention facilities elsewhere, including Guantanamo Bay, Poland, Morocco and Lithuania. He alleges that from 17 February 2005 to 25 March 2006 he was held in a secret detention facility in Lithuania, constructed and equipped specifically for CIA detention, in accordance with prior authorisation from Lithuanian authorities. Subsequently, he was transferred to Guantanamo.

Mr Abu Zubaydah complains that the rendition process amounted to a violation of his rights under Article 3 (prohibition of torture) of the Convention. Although he was detained in Lithuania for over a year, his detention was not acknowledged, and no official trace of it existed in the public domain at that stage, in violation of Article 5 (right to liberty and security). It is further alleged that while in detention in Lithuania he was not permitted any contact with his family, nor was he allowed to establish contact with a lawyer, in breach of Article 8 (right to respect for private and family life). Lastly, he complains that Lithuania has violated, and continues to violate, his rights under Articles 3, 5 and 8, as well as his right to an effective remedy under Article 13 of the Convention, by failing to conduct an effective investigation of his enforced disappearance, secret detention, torture and ill-treatment.

Procedure

The application was lodged with the European Court of Human Rights on 14 July 2011.

The Court [communicated](#) the case to the Lithuanian Government and put questions to the parties under Articles 3 (prohibition of torture and inhuman or degrading treatment), 5 (right to liberty and security), 8 (right to respect for private life) and 13 (right to an effective remedy) of the European Convention on Human Rights.

The following organisations were granted leave to intervene in the written proceedings as third parties: Amnesty International and the International Commission of Jurists, jointly; and the Helsinki Foundation for Human Rights.

Composition of the Court

The case will be heard by a Chamber, composed as follows:

Mirjana **Lazarova Trajkovska** (“The former Yugoslav Republic of Macedonia”), *President*,
Kristina **Pardalos** (San Marino),
Linos-Alexandre **Sicilianos** (Greece),
Paul **Mahoney** (the United Kingdom),
Aleš **Pejchal** (the Czech Republic),
Egidijus **Kūris** (Lithuania),
Robert **Spano** (Iceland), *judges*,
Armen **Harutyunyan** (Armenia),
Pauliine **Koskelo** (Finland), *substitute judges*,

and also Abel **Campos**, *Section Registrar*.

Representatives of the parties

Government

Karolina **Bubnyté**, *Agent*,
Paulius **Griciūnas**, *Deputy Minister of Justice*,
Evaldas **Pašilis**, *Adviser*;

Applicant

Helen **Duffy** and Amanda **Jacobsen**, *Counsel*.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.