

# CIA Rendition Investigations

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**Dick Marty and the Council of Europe:** In 2005, parliamentarians at the Council of Europe set up a human rights investigation, following reports in the US media that the CIA had been operating secret detention centers for terror suspects in Europe. Headed by Dick Marty, a Swiss senator, the investigation's [first report in 2006](#) named more than 20 countries that had cooperated with a program of secret CIA flights moving suspects to and from the so-called "black sites". [Its second report in 2007](#) asserted that Poland and Romania had hosted secret CIA prisons from 2003 to 2005.

**Fava Inquiry and the European Parliament:** In January 2006, the European Parliament set up a separate inquiry led by Claudio Fava, an Italian MEP. [His report concluded](#) that the CIA operated nearly 1,245 flights through European airspace between 2001 and 2005. A subsequent parliamentary resolution criticized the lack of effective controls over member states' rules of cooperation with foreign secret services.

**Germany:** The abduction of [Khaled El-Masri](#), a German citizen wrongly seized in Macedonia and interrogated for four months by the CIA in Afghanistan, led to a three-year inquiry by German parliamentarians, who concluded that El-Masri's claims of abuse were credible. The Munich state prosecutor's office announced in January 2007 that it had issued arrest warrants for 13 people suspected of involvement in El-Masri's rendition. Following pressure from the U.S. administration, the German government declined to seek the extradition of the suspects from the US.

**Spain:** A separate investigation into the El-Masri case was launched by prosecutors in Spain, on the grounds the CIA rendition plane that transported El-Masri had stopped in Mallorca in 2004, with CIA operatives using hidden identities without official permission. In 2010, [Spanish prosecutors also requested arrest warrants for the 13 operatives](#). There are [two other investigations](#) related to the US torture program pending before Spain's National Court: an open investigation into "an authorized and systematic plan of torture and ill-treatment on persons deprived of their freedom without any charge and without the basic rights of any detainee, set out and required by applicable international conventions," in US detention facilities; and a case filed against Bush administration lawyers for torture and war crimes, which has been stayed, and referred to the U.S. Department of Justice.

**Italy:** In November 2009, [a judge in Milan found 23 US officials as well as two Italian intelligence operatives guilty](#) of the abduction of Usama Mostafa Hassan Nasr (known as Abu Omar), an Egyptian national, who was seized in Milan and secretly handed over to Egypt in 2003, where he spent 4 years in prison and was tortured. The Italian justice ministry declined to seek the extradition of the Americans, who included the former CIA station chief in Milan. In September 2012, the Court of Cassation upheld the judgments, and also ruled that five senior Italian secret service agents—including the former head of the country's military intelligence agency—should be tried for their role in the kidnapping.



**Canada:** The Canadian government established a Commission of Inquiry in 2004 to look into [the wrongful seizure and subsequent detention and torture of Maher Arar](#), a Canadian citizen who was detained at New York's JFK airport in September 2002 while in transit. Arar was interrogated for 2 weeks and then deported to his native Syria, where he was held for a year and tortured before being released. The inquiry exonerated Arar in 2006 and found that he had been tortured. He received C\$10.5 million and Stephen Harper, the prime minister, formally apologized to Arar. In 2010, the US courts rejected [a bid by Arar to sue members of the Bush administration](#), on national security grounds.

**Poland:** In 2008 the Polish state prosecutor's office began an investigation into the country's role in providing the CIA with a secret base for interrogation and detention of al-Qaeda suspects at Stare Kiejkuty military base in northeastern Poland. In March, [local media reported that charges had been brought](#) against Zbigniew Siemiątkowski, former head of Polish intelligence. The Polish government has subsequently moved the investigation from the prosecutor's office in Warsaw to the city of Krakow, without giving reasons. The Open Society Justice Initiative [has brought a complaint against Poland over the use of this "black site"](#) on behalf of Abd al-Rahim al-Nashiri, who was imprisoned and interrogated there. Al-Nashiri is currently facing trial before a U.S. military commission at Guantanamo Bay.

**United Kingdom:** In the UK, the government settled a civil suit brought by [Binyam Mohamed](#) and others who had been seized by the US in Afghanistan in 2001 and held at Guantanamo Bay. The suit, alleging involvement of British intelligence in torture and mistreatment, was dropped by the UK to avoid bringing intelligence material provided by the US into open court. The UK government subsequently set up a public inquiry into the security services' collusion with torture. This [was closed down in January this year](#) after UK police said they were pursuing criminal investigations in the cases of two Libyans, who assert they were tortured after being seized in 2004 with UK support and shipped to Libya.

**Sweden:** In 2001, two Egyptian nationals, Mohammed Alzery and Ahmed Agiza, were deported from Sweden and transferred by the CIA to Egypt where they faced subsequent torture and abuse. In October 2006 the UN Human Rights Committee found that Sweden had violated Alzery's rights by standing by as he was brutally prepared for the CIA rendition flight. The UN Committee against Torture ruled in 2005 that in Agiza's case, Sweden had exposed him to the risk of torture in Egypt. The decision to expel the two men was also examined by Sweden's Ombudsman, and in 2008, the Swedish government awarded Agiza and Alzery around \$500,000 each as compensation.

[info@justiceinitiative.org](mailto:info@justiceinitiative.org)  
[www.justiceinitiative.org](http://www.justiceinitiative.org)