



**COUNCIL OF
THE EUROPEAN UNION**

Strasbourg, 23 May 2012

10325/12

**PE 221
COHOM 117**

NOTE

from: General Secretariat of the Council
to: Delegations

Subject: Summary record of the extraordinary meeting of the European Parliament
Subcommittee on Human Rights (DROI), held in Strasbourg on 21 May 2012

The meeting was chaired by Ms Lochbihler (Greens/EFA, DE).

1. Adoption of agenda

The agenda was adopted as proposed.

2. Alleged Transportation & illegal detention of prisoners in European countries by the CIA: follow-up of the EP TDIP Committee report

AFET/7/08921

2012/2033(INI)

Rapporteur for the opinion: Baroness Ludford (ALDE) PA– PE487.735v01-00

Responsible: LIBE* – Ms Flautre (Verts/ALE) PR – PE487.816v02-00

DT – PE486.043v01-00

- Consideration of draft opinion

The Chair opened the discussion by recalling that DROI had organised a hearing on secret rendition and detention practices on 12 April and that according to information provided after the hearing by Mr Emmerson, United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, with regard to the follow-up to the UN Global Report on Secret Detention, the FR, IT, LT, PL, RO, SW had not responded to the questionnaire sent by him.

The Rapporteur explained that the opinion she had prepared was meant to complement the external policy aspects of the LIBE report; she briefly stated the most important elements of the report, namely that full effectiveness of counter-terrorism strategies can only be achieved when these are conducted in full respect of human rights and due process, and the need for the EU to ensure accountability for any abusive practices in this respect in order to establish its credibility internationally. She also stressed the importance of vigorous implementation of human rights clauses in association agreements and the need for NATO and the US to conduct their own investigations. Ms Flautre agreed that the issue of internal and external consistency of EU action was a crucial element of the report and that the credibility and legitimacy of the EU's Human Rights policy towards third countries was at stake. She also raised several individual cases in relation to secret rendition and detention practices, and proposed that the opinion should include the EU position on the abolition of death penalty.

In the subsequent debate Mr Preda (EPP, RO) expressed serious doubts about the usefulness of such a report as there was no new information available, and disagreed with some of the statements contained in the working document prepared by Ms Flautre regarding Romania. Ms Ludford replied that the purpose of the report was to call for credible national inquiries. Ms Flautre explained that in her view in the case of Romania there was sufficient corroborative evidence on the existence of secret detention facilities to justify the opening of a judicial inquiry. Ms Basescu (EPP, RO) said she would present a number of amendments in order to provide balance and objectivity to the report and give factually correct information regarding Romania. Ms in 't Veld (ALDE, NL) wanted the issue of accountability to be given more prominence in the report. Ms Gomes agreed that the follow-up in Member States was indeed disappointing and called for stricter controls of civil aviation so that that these could not be used or abused by criminal networks.

Deadline for amendments : 24 May

Discussion of amendments : 21 June

Vote : 25 June

3. Next meeting(s)

- **29 May 2012, 15.00 – 18.30 (Brussels)**