

Press Release

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Deadline for replies by the Council of Europe governments on alleged CIA activities expires

Statement by the Secretary General of the Council of Europe

Strasbourg, 22.02.2006 – The deadline for my inquiry related to allegations concerning secret detentions and the transportation of secretly detained persons in or through Council of Europe member States expired at midnight.

The purpose of my inquiry was to establish whether the member States of the Council of Europe, all of which are Parties to the European Convention on Human Rights, have complied with their obligations under the Convention, notably those related to Article 3 (prohibition of torture), Article 5 (right to liberty and security) and Article 6 (right to a fair trial). These include positive obligations, meaning that governments are required to take action to prevent violations from taking place.

I sent a list of detailed questions [[link to the press release of 23 November 2005](#)] to the 46 governments of our member States asking what laws they have adopted to protect individuals from forced disappearances, secret detentions and extraordinary renditions to places where they may be tortured or exposed to inhuman and degrading treatment, and how these laws have been enforced since 1 January 2002.

The governments of 41 countries replied within the set deadline. I would like to express my satisfaction with the constructive and comprehensive manner in which these governments have responded to my request.

The governments of Belgium, Bosnia and Herzegovina, Georgia, Italy and San Marino have not yet replied, and they have therefore failed to comply with their legal obligation under Article 52 of the European Convention on Human Rights. The Ambassador for Italy has written to me promising that we will receive his Government's reply this afternoon. I remind all five countries that their failure to reply is a clear breach of the Convention, which underpins the defence of human rights across the continent. The breach should be rectified as a matter of urgency.

Some of the responses are very detailed and will require thorough analysis. The results will be made public within days – not weeks. If we find that laws applying the guarantees of the European Convention on Human Rights are not in place, or they are inadequate, or they have not been effectively enforced, we will make this clear to everyone.

The Secretary General will hold a press conference to present his analysis of the replies received at the Council of Europe at 12pm on Wednesday 1 March 2006.

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A political organisation set up in 1949, the Council of Europe works to promote democracy and human rights continent-wide. It also develops common responses to social, cultural and legal challenges in its 46 member states.