

Ref. CommDH 020(2011)

Ten years of “global war on terror” undermined human rights – also in Europe

Strasbourg, 01/09/2011 - The ten-year anniversary of the atrocious Nine Eleven attacks is an occasion for sombre reflection. Almost three thousand lives were ended indiscriminately by a criminal conspiracy to turn passenger aircraft into weapons of mass destruction. This was a crime against humanity, the gravity of which must not be forgotten. Respects should again be paid to those who lost their loved ones, acknowledging that their pain endures, says Thomas Hammarberg, Council of Europe Commissioner for Human Rights in his latest [Human Rights Comment](#) published today.

The anniversary is also an occasion to analyse whether the official responses to the attacks have been proper and effective. The United States built a broad coalition to ensure prompt and appropriate punishment for those responsible, and to prevent similar atrocities from occurring in the future. This unity of purpose was absolutely crucial.

The tragic failures manifested themselves not in the determination to respond, but in the misjudged choice of methods. In attempting to combat crimes attributed to terrorists, countless further crimes have been committed in the course of the US-led “global war on terror”. Many of those crimes have been carefully and deliberately covered up. These circumstances call for a self-critical review – also here in Europe.

European governments carry part of the responsibility

European government authorities have been deeply complicit in the counter-terrorism strategies pursued by the US Central Intelligence Agency. They permitted, protected and participated in CIA operations which violated fundamental tenets of our systems of justice and human rights protection.

The framework for this co-operation was the CIA policy of Rendition, Detention and Interrogation, called the “RDI Program”. Based on the official information we now possess, notwithstanding the concerted efforts of the US authorities and their allies to keep every last detail secret, there is no doubt that all three elements of this program have entailed systematic violations of human rights.

Through *rendition*, the CIA captured individual suspects on foreign territories, often with the assistance of the local security services, and flew them to some specific third countries to be interrogated. This technique kept the suspects outside the reach of any justice system and [rendered them vulnerable to ill-treatment](#).

A rapporteur for the Council of Europe’s Parliamentary Assembly, Senator Dick Marty, described in a [2006 report](#) how terrorist suspects, many of them completely innocent, were becoming entrapped in a “*global spider’s web*”. Looking back on the past decade, we can see a clear thread of European complicity as this spider’s web has been spun out.

Individuals were handed over – and tortured

In October 2001, most European states signed up to classified blanket authorisations for overflight and access to airfields under the NATO framework. Many governments – both within and outside NATO – also engaged in separate, secret bilateral agreements or clandestine joint operations with US military and intelligence agencies.

In December 2001, Sweden handed over two Egyptian asylum-seekers to a team of masked CIA paramilitaries at Stockholm's Bromma Airport. The team proceeded to blindfold, beat, strip naked and photograph the two men, before inserting a tranquilising suppository, putting on a diaper, hooding and shackling them and then forcing them aboard a waiting aeroplane which took them to detention in Egypt, where they were tortured.

This degrading and humiliating rendition practice was subsequently performed in other European countries from 2002 to 2004. One victim was Khaled El-Masri, a German car salesman, who underwent two renditions after being apprehended by Macedonian authorities: first to Afghanistan, where he was detained for four months in a squalid prison cell; and then to Albania, where he was dumped on a remote hillside in an apparent effort to cover up what US officials later had to concede was a "mistake".

No proper investigations

In none of the rendition cases which took place in Europe has the government yet investigated the full circumstances of the involvement of its services. In fact, concealment and cover-ups have been more characteristic responses.

The Swedish government misled a parliamentary committee that sought to clarify the facts and furthermore gave erroneous information to a UN human rights body. The version of the El-Masri case presented by the Macedonian authorities has been evasive and lacking in credibility. Elsewhere, notably in Germany, Italy and the United Kingdom, diplomatic or judicial decisions were taken to keep unwanted revelations out of the public domain. State secrecy has been invoked as an obstacle to accountability.

Governments across the European continent have acted in line with the wishes of the US to prevent proper investigations, and particularly judicial scrutiny, of the abuses arising from rendition operations. The message is clear – good relations between the security agencies are deemed more important than preventing torture and other serious human rights violations.

A review is necessary

This approach is a grave mistake. It has undermined prospects of redress for the victims and shielded those who organised and performed the rendition "takeouts" from answering the charges against them.

So far Europe has granted effective impunity to those who committed crimes in implementing the rendition policy. An urgent re-think is required to prevent this misjudged and failed counter-terrorism approach from having a sad legacy of injustice.

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The Commissioner for Human Rights is an independent, non-judicial institution within the Council of Europe, mandated to promote awareness of, and respect for, human rights in the 47 member states of the

Organisation. Elected by the Parliamentary Assembly of the Council of Europe, the present Commissioner, Mr Thomas Hammarberg, took up his function on 1 April 2006