

Parliamentary questions

2 March 2016

O-000038/2016

[Question for oral answer
to the Council](#)

[Rule 128](#)

[Claude Moraes, on behalf of the Committee on Civil Liberties, Justice and Home Affairs](#)

► Subject: Follow-up to the resolution of Parliament of 11 February 2015 on the US Senate report on the use of torture by the CIA (2014/2997(RSP))

In paragraph 10 of its resolution of 11 February 2015 on the US Senate report on the use of torture by the CIA, Parliament 'instructs its Committee on Civil Liberties, Justice and Home Affairs, with the association of its Committee on Foreign Affairs, and in particular its subcommittee on Human Rights, to resume its inquiry on "alleged transportation and illegal detention of prisoners in European countries by the CIA" and to report to plenary within a year by following up on the recommendations made in its resolution of 11 September 2012 on alleged transportation and illegal detention of prisoners in European countries by the CIA: follow-up of the European Parliament TDIP Committee report'.

In view of the debate held in plenary on 9 October 2013 and of paragraph 13 of the resolution of 10 October 2013 in which Parliament reiterated its specific recommendations to the Council, the LIBE Committee asks the Council to reply to the following questions:

1. Which recommendations have been followed and implemented by the Council?

In particular:

– has the Council apologised for breaching the principle of loyal cooperation between the Union institutions, as enshrined in the Treaties, when it incorrectly attempted to persuade Parliament to accept deliberately shortened versions of the minutes of the meetings of the Council working parties on public international law (COJUR) and transatlantic relations (COTRA) with senior US officials?

– did the Council issue a declaration acknowledging Member States' involvement in the CIA programme and the difficulties encountered by Member States in the context of inquiries?

– did the Council give its full support to the truth-finding and accountability processes in the Member States by formally addressing the issue at Justice and Home Affairs meetings, sharing all information, providing assistance in response to inquiries and, in particular, acceding to requests for access to documents?

– did the Council hold hearings with relevant EU security agencies to clarify their knowledge of Member States' involvement in the CIA programme and the EU's response?

– did the Council propose safeguards so as to guarantee respect for human rights in intelligence-sharing, as well as a strict delimitation of roles between intelligence and law enforcement activities so that intelligence agencies are not permitted to assume powers of arrest and detention?

2. What measures does the Council intend to take in order to improve follow-up in respect of these recommendations?