

## **Anne Rambergs inledning vid seminariet Extraordinary Rendition - are bar associations speaking out against violations of the fundamental principles of the rule of law?**

You are all very welcome to this session on "Extraordinary renditions - are Bar associations speaking out against violations of the fundamental principles of the rule of law."

I believe it is appropriate to address this question since we are in Europe and in Poland. Poland is one of at least two countries in Europe - the other is Romania - that is considered to have housed a CIA prison, a so called black site on it's soil.

In 2001 in the aftermath of September 11 the US administration introduced its - from all rule of law aspects - illegal detention and interrogation program. Since then, the CIA has captured at least 3 000 people and transported them around the world. The European Council estimated in a report from 2006 that about 100 people had been kidnapped by the CIA on EU territory and rendered to other countries, often after having been sent to the secret detention centers around the world that was used by the CIA. Some of these are in Europe. The European parliament stated in a report from 2007 that the CIA had conducted 1245 flights, many of them to destinations where the suspects could face torture. Several European countries were criticized for tolerating illegal CIA activities including secret flights. The countries named were Austria, Belgium, Cyprus, Denmark, Germany, Poland, Portugal, Romania, Spain, Sweden and the UK.

One of the victims - a Guantanamo prisoner has recently filed a case against Poland with the European Court of Human Rights in Strasbourg. He has also filed an application demanding the Appellate prosecutor in Warsaw to investigate and prosecute the people responsible for the Guantanamo prisoner transfer, detention and torture in Poland, He was in September 2010, the first detainee subjected to CIAs detention and interrogation program, who took legal action in Poland. He was granted victim status. That was - I believe - a major step in recognizing the validity of the claims of mistreatment and torture.

We will hear more about this from his lawyer Mikolaj Pietrzak.

In December last year another Guantanamo detainee and extraordinary rendition victim also filed a victim status application in Poland. The very well argued legal pleading in that case is included in

the conference documentation. And I assume we will hear more also about this case from another speaker Mrs. Tara Murray.

It is a disgrace that my own country, often teaching other countries about democracy, rule of law and human rights, willingly in 2001 seized two Egyptian asylum seekers and handed them over to the CIA, who directly transferred them to Egypt, where they faced torture. Consequently Sweden was, by the UN torture committee, found to have violated the international torture ban. In the same year Swedish authorities put a stop to the rendition flights, which provoked diplomatic concerns. In 2007 the Swedish government declared the decision to refuse the two Egyptians entry in Sweden null and void. Despite that, did they not get permission to return to Sweden, neither were they granted a new permission to stay in the country. Each of them were however granted three million Swedish crowns in damages; A sum equivalent to 300 000 Euros each.

Ten days ago, on the 16 of May, the US Supreme court refused to review a federal appeal court ruling, dismissing the lawsuit on a 6-5 vote, by rejecting an appeal by five men, among which one is Egyptian, deported by CIA from Sweden. The Supreme Court refused to question the federal government's power to withhold information for national security reasons. The five men claimed that a Boeing unit, allegedly provided planning and logistic support for the flights as part of the CIA rendition program.

Bar associations as well as individual members of the Bar have a special responsibility in protecting and upholding the rule of law and human rights. The Bars shall be at the forefront monitoring the executive and the legislator. They shall be the watchdogs of the rule of law.

However, Unfortunately not all Bars appreciate the freedom, and independence that is required to speak up and advocate human rights and rule of law. But, the question is if those Bars who do not suffer from lack of independence, limitations and other threats really live up to their responsibilities. Do we speak up loud enough when the rule of law is threatened and what do we do to support those bar associations that are under pressure from governments or others. This is what we are going to discuss during this session.

I am very honored and pleased to welcoming my very distinguished speakers.