

HR HELSINKI FOUNDATION for HUMAN RIGHTS

The Border Guard Office has provided new information regarding crew and passengers of CIA planes landing at the Polish airport in Szymany

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The Border Guard Office has provided new information regarding CIA planes which allegedly transported individuals suspected by U.S. of a terrorist activity. These are data detailing the borders clearance of the crew and passengers of planes landing in Poland at the Szymany airport in 2002 - 2005. The Border Guard Office provided the above information in response to a freedom of information request filled by the Helsinki Foundation for Human Rights. What is important, in 2006 Polish authorities refused to present these data for the purpose of the investigation conducted by the European Parliament.

The Helsinki Foundation for Human Rights filled the request to the Boarder Guard Office in order to obtain information about border clearance procedure held at the Szymany airport on the following aircraft: N63MU, N379P, N313P and N8213G. Initially, the Border Guard Office refused us the access to this data since it had handed it over to National Prosecutor's Office which has been conducted the investigation on the issue. The requested information were obtained though after we appealed to the Border Guard Office. Transmission of this data was approved by the Prosecutor Office.

From the letter of the Border Guard Office it results that between 5 December 2002 and 22 September 2003 seven planes which are commonly associated with CIA front companies landed at Szymany airport. Five of them came to Poland with passengers, but at the time of departure only crew was present on board . The last plane noted flew to Szymany empty, and left Poland with five people on board.

"It is said that the information we obtained was not previously submitted to the European Parliament and to Dick Marty Commissions (Council of Europe) in relation to their investigations", said Adam Bodnar, the Secretary of the Board of the Helsinki Foundation for Human Rights. "This demonstrates the lack of good will of Polish Government to cooperate with international bodies in order to explain allegations that Poland violated human rights by using, *inter alia*, torture."

Helsinki Foundation for Human Rights since several years has been filling freedom of information requests to state authorities. Thus, we were able to obtain data on the existence of flights of aircraft associated with the CIA on Polish territory. The information provided to us by the Border Guards Office is of highly precedential nature since it constitute a confirmation that passengers were transported on their board. This, however, is a further indication - apart from the findings of numerous international organizations - that secret CIA prison's probably existed in Poland.

"The transmission of this information indicates that the citizen's right of access to public information is an effective method of explanation of such serious allegations of human rights violations that occurred in connection with this case" said Irma Pacho from the Helsinki Foundation for Human Rights.

Helsinki Foundation for Human Rights would also like to stress that until now no resolution of the case regarding Polish involvement in extraordinary rendition program within the so called 'war on terror' has been provided yet. No parliamentary investigation was conducted. The one led by the Appeal Prosecutor Office in Warsaw was initiated over two years ago and could be determined as a lengthy and ineffective. Moreover, public opinion does not know any facts from this procedure, including even the estimated date of its termination, due to the calling by governmental authorities for state secrecy.

In the statement of 9 June 2010, the Human Rights Commissioner of the Council of Europe, Thomas Hammarberg, indicated Poland as a country which has not made sufficient effort to clarify allegations of the repeated use of torture and illegal detention of prisoners. In his opinion, state secrets should not be used as a justification for refusing to provide information regarding a criminal investigation, where the case concerns human rights violations.

The Helsinki Foundation for Human Rights – is a Non-Governmental Organization to support the development of the human liberties and rights culture, both domestically and abroad.

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