

Extract from Leaders' Question Time on January 25th 2006

Mr. Pat Rabbitte (Labour Party): There have been a number of significant developments since I last asked the Taoiseach about the situation at Shannon Airport on 12 December. The Irish Human Rights Commission expressed its serious concern on 23 December. The interim report of Senator Marty has added to the concerns. During the Christmas recess, my colleague, Deputy Michael D. Higgins, uncovered two defence treaties that have not been laid before the House, even though they date back to January 2003 and February 2004. While the Minister for Defence has apologised for their not being laid before the House, they still were not laid before the House as at lunch time today.

There is acute concern here about what might be happening as a result of the Americans being facilitated at Shannon Airport in the process of what they call "extraordinary rendition". There is growing international concern about the same issue. It is a major issue in British politics, yet all that we can find out from our Government is that it has diplomatic assurances to the effect that "nothing untoward" is happening. How do we know that nothing untoward is happening? More and more of our citizens are asking whether our Government wants to know.

The State watchdog established by the Government said that reliance on diplomatic assurance is not sufficient to protect against the risk of torture and other forms of ill treatment. The UN Commissioner has made the same statement and the European Court of Human Rights made the same point.

Is it the case that civilian aircraft are being disguised for the purpose of extraordinary rendition travelling through Shannon Airport? If state aircraft are being disguised for CIA purposes, it is in breach of the Chicago Convention. On the other hand, if they are orthodox civilian aircraft, we may inspect them. Does the Taoiseach intend to take any steps to have such aircraft inspected on behalf of the Government to reassure the people that the process of extraordinary rendition, which is repulsive to our citizens, is not happening with our facilitation?

The Taoiseach: As Deputy Rabbitte said, the Irish Human Rights Commission wrote to me over the Christmas and new year period. There have been discussions in the Government and the Department of Foreign Affairs on this issue. We welcome the publication of Senator Marty's memorandum and will follow his future work on this matter in every way we can.

The memorandum summarises the various allegations made and does not appear to reveal any new information. He accurately records the Government's complete opposition to the practice of extraordinary rendition. We have constantly made it clear that we cannot and will not permit extraordinary rendition through Irish territory. The senator notes the Government's total condemnation of the practice. We are wholly opposed to torture or any breaches of international law under any of the conventions. I make this absolutely clear.

The Secretary of State, Dr. Condoleezza Rice, and the US authorities have given repeated, clear and explicit face to face assurances to the Minister for Foreign Affairs, acting on the Government's behalf, no later than the period prior to Christmas, that no prisoners have been transferred through Irish airports to Guatemala or anywhere else. We have put this to them on a number of occasions. We have put it to diplomats and others. The assurances we have received from the United States, which Deputy Rabbitte will appreciate, are unqualified and straightforward. Prisoners have not been transferred and will not be. These assurances differ from those received by other European governments.

We have been very clear about the position. I know the Deputy is concerned, as is every Member of the House and member of the public, that our facilities, which we have given because of historical connections, should not be used for the purpose of rendition. This is the latest position. I assure the House that we will co-operate fully with the Irish Human Rights Commission and the investigation by the Council of Europe, which has also written. We will co-operate with all of those in dealing with any guidelines or other issues put forward. We are happy to co-operate with the European Parliament and the PACE investigations. We have not been contacted in that regard but will give our full co-operation in an up front way.

Mr. Rabbitte: I appreciate what the Taoiseach has said but Senator Marty will not board aircraft at Shannon Airport. The question is whether the Taoiseach is still relying on diplomatic assurance and, from his reply, the answer appears to be that he is. I have cited three authorities that say reliance on diplomatic assurance is not sufficient, those being the European Court of Human Rights, the UN Commissioner responsible for monitoring matters relating to torture and the Irish Human Rights Commission, which was clear that it was not sufficient. However, as far as the Government is concerned, this is precisely where the issue rests.

Should I take it from the Taoiseach's reply that he does not intend to take any steps to be satisfied that the obnoxious procedure of extraordinary rendition is not being facilitated at Shannon Airport?

An Ceann Comhairle: The Deputy's time has concluded.

Mr. Rabbitte: Will the Taoiseach take any steps to be satisfied and reassure the Irish public that this is not happening? There is no point in saying that he is opposed to it. The question is whether the Government is trying to find out whether it is happening.

The United States is a friendly government that misled the Taoiseach, who seems to have been a willing dupe in the matter of the excuse for invading Iraq in the first place. There were no weapons of mass destruction but we were assured there were. We were treated to a presentation at the United Nations as to the location of the weapons of mass destruction. They did not exist.

Why should we, merely because we are talking about a friendly government, in light of the stature of the organisations I have quoted who say one cannot rely on diplomatic assurance alone, continue to rely on diplomatic assurance? Does the Government intend to cause any steps to be taken to establish whether extraordinary rendition is happening here? My understanding of what Dr. Rice said is that she

neither confirmed nor denied that prisoners are being transported through Shannon Airport. She denied that they were being transported for the purpose of torture.

An Ceann Comhairle: The Deputy's time has concluded.

Mr. Dermot Ahern: No. It was unqualified.

The Taoiseach: I will try to make the position clear again. Deputy Rabbitte correctly stated that there are a number of investigations going on, such as that of the Irish Human Rights Commission. The Secretary General of the Council of Europe has asked for responses to questionnaires, which we will give. We will be happy to co-operate with the European Parliament and the PACE investigations.

Last week, the European Parliament set up a temporary committee to investigate the allegations of transport and illegal detention of prisoners by the CIA in European countries. Our MEPs of all parties are involved. Rapporteur of the Parliamentary Assembly of the Council of Europe and the committee on legal affairs, Senator Marty, presented an information memorandum on the issue. It states there is no formal, irrefutable evidence of the existence of secret CIA detention centres in any member state. However it finds that individuals have been rendered to countries where they have suffered degrading treatments and torture. Sources for this include former and present CIA officials, European government officials and NGO personnel. We will co-operate with regard to any of those areas.

We did not sit back and ignore this, nor have we taken the view that if we do not ask the question we will not get an answer. We have not only relied on diplomatic responses. Condoleezza Rice is Secretary of State of the United States and a senior representative, not a diplomat. It has been made absolutely clear. She has stated that no rendition has taken place through Shannon at any time, ever. This is the unqualified position. She has given categorical assurances. This was confirmed as late as yesterday by the ambassador and we have kept monitoring this position.

Deputy Rabbitte understands that for me to go beyond that, I could only call senior American officials one thing and I am not prepared to do so.