

ORAL QUESTION WITH DEBATE O-0130/08

pursuant to Rule 108 of the Rules of Procedure

by Daniel Cohn-Bendit, Kathalijne Maria Buitenweg, Raül Romeva i Rueda and Cem Özdemir, on behalf of the Verts/ALE Group, Giusto Catania, Sylvia-Yvonne Kaufmann, Jens Holm, Gabriele Zimmer, Miguel Portas and André Brie, on behalf of the GUE/NGL Group, Ana Maria Gomes, Claudio Fava, Proinsias De Rossa and Marianne Mikko to the Council

Subject: Resettlement of Guantánamo refugees

After several years of lawless detention, approximately 55 people remain in Guantánamo who have never been charged and are not expected to be charged with any crimes by the US Military Commissions or any other judicial process. Indeed, approximately 30 have already been acknowledged by the United States to be cleared of any suspicions for release, but cannot be returned to their countries of origin because they risk being persecuted or tortured.

Considering that the European Parliament has adopted several resolutions calling for the closure of Guantánamo detention centre and asking the European Member States to offer humanitarian protection to the people illegally detained there to whom political refugee status should be granted,

considering that President-elect Barack Obama has reiterated the priority of closing the Guantánamo Bay illegal detention centre,

considering that the release of detainees who are cleared of suspicions and should be repatriated or afforded refugee status must be a priority in the process of closing the American off-shore prison of Guantánamo,

taking into account that several EU Member States were involved in the illegal transport and/or detention of prisoners by the CIA and the US military to Guantánamo and to the 'secret prisons' acknowledged by President Bush, and therefore must share responsibility with the USA regarding the release and resettlement of the detained who should be afforded refugee status, besides demanding that those who may be charged be brought to proper judicial proceedings without further delays,

Has any Member State received any request from the US administration and/or any individual request with the purpose of resettling Guantánamo detainees? If so, what were the reactions and results and on which legal basis were the decisions taken?

Has the European Council or any Member State pressed the US administration to ensure that those terrorism suspects who are to be charged for any crimes and are detained by the US in Guantánamo Bay or in any of the 'secret prisons' be brought to proper justice proceedings without further delays?

Tabled: 20.11.2008

Forwarded: 21.11.2008

Deadline for reply: 12.12.2008