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HELSINKI FOUNDATION for HUMAN RIGHTS**

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**The Honorable
Jarosław Kaczyński
President of the Council of Ministers of the
Republic of Poland**

Open letter

Dear Mr. Prime Minister!

The Helsinki Foundation for Human Rights has observed with great astonishment and concern the lack of appropriate position on the part of the Polish Government towards the serious charges preferred against Poland regarding its participation in the network of secret CIA prisons throughout Europe. The issue is once again described in detail by Jane Mayer, journalist of the daily "The New Yorker", in the article entitled "The Black Sites". According to Jane Mayer, Khalid Sheikh Mohammed, an important member of the terrorist organization Al Qaeda, was supposedly imprisoned in Poland and interrogated using very brutal measures.

The position of the Government of the Republic of Poland on an issue that has shocked the world is particularly censurable in a situation where the existence of secret CIA prisons in Poland, at the intelligence training center in Stare Kiejkuty, has been considered as most probable in Senator Dick Marty's second report "on secret detentions and illegal transfers of detainees involving Council of Europe member states", adopted by the Parliamentary Assembly of the Council of Europe on 11 June 2007.

The issue of the illegal detention and transfer of detainees was also dealt with by the European Parliament, which on 14 February 2007 adopted a resolution (No. INI/2006/2200), condemning a series of European countries, including Poland, for tolerating CIA's illegal activity in Europe.

The report of the Parliamentary Assembly of the Council of Europe clearly states that secret CIA prisons existed in Europe in the years 2002 – 2005, in particular in Poland and Romania. These prisons were supposedly only operated by employees of the American Intelligence Agency, supported however by the local authorities in the scope of logistics and security. All this supposedly took place at the consent of the highest state authorities.

The report of the Parliamentary Assembly of the Council of Europe accuses the Government of the Republic of Poland of conducting activities aimed at covering up the truth about the operation of secret prisons and also states that the Polish Government showed no will of cooperating with organs of the Council of Europe during explanatory proceedings. It is also emphasized in the resolution of the European Parliament that the Polish Government disrespectfully treated cooperation with the European Parliament in the extent of explaining the issue of secret prisons, which was manifested inter alia through the inappropriate reception of the members of the Temporary Committee by Polish authorities during their visit to Poland. Already in its letter of 3 March 2006, the Helsinki Foundation for Human Rights

turned to the President of the Council of Ministers, Kazimierz Marcinkiewicz, to submit all required and useful information to the Secretary General of the Council of Europe and for the Polish Government to become actively involved in clearing up charges of illegal imprisonment of individuals suspected of terrorist activity. Unfortunately, as Senator Dick Marty showed in his report, many questions asked of the Polish Government still haven't been answered. The Helsinki Foundation for Human Rights regrets to observe that the lack of will to fully explain the issue of secret prisons is still apparent in the Polish authorities' behavior.

The Helsinki Foundation for Human Rights shares Senator Dick Marty's opinion that politicians from European states should not act in defense of particular governments, but in defense of common European values. Therefore, we believe that a thorough clarification of the issue of secret CIA prisons within the territory of Poland is not only the Polish Government's obligation towards our country's citizens, but also towards the residents of Europe as a whole. It is unacceptable to ignore charges that cast a shadow on the issue of observing the European Convention on Human Rights by Poland, as well as other states, without a proper investigation.

Like Amnesty International we turn to you, Mr. Prime Minister, to order the launch of an investigation aimed at verifying the authenticity of charges formulated in reports of the Council of Europe and the European Parliament and clarifying all aspects of this shocking matter. We believe that the outcome of these proceedings should be open to the public.

With kind regards,

On behalf of the Helsinki Foundation for Human Rights

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Marek Antoni Nowicki

President of the HFHR Board

Information to:

1. Mr. Lech Kaczyński – President of the Republic of Poland,
2. Mr. Ludwik Dorn – Marshal of the Sejm,
3. Mr. Bogdan Borusewicz – Marshal of the Senate,
4. Mr. Janusz Kaczmarek – Minister of Interior and Administration,
5. Mr. Zbigniew Ziobro – Minister of Justice,
6. Mr. Janusz Kochanowski – Commissioner for Civil Rights Protection,
7. Mr. Cezary Grabarczyk – Head of the Parliamentary Justice and Human Rights Committee,
8. Mr. Paweł Graś – Head of the Parliamentary Committee for Special Services,
9. Mr. Hans-Gert Pöttering – President of the European Parliament,
10. Mr. Rene van den Linden – Head of the Parliamentary Assembly of the Council of Europe,
11. Mr. Terry Davies – Secretary General of the Council of Europe,
12. Mr. Thomas Hammarberg – Council of Europe Commissioner for Human Rights.