

Fortunately, on 20 January 2002 the British Foreign Secretary, Jack Straw, declared: 'Prisoners – regardless of their technical status – should be treated humanely and in accordance with customary international law. We have always made that clear and the Americans have said they share this view'.

In addition, on 21 January 2002 the High Representative for the Common Foreign and Security Policy, Javier Solana, said on Spanish television that the treatment of these prisoners should be governed by the Geneva Conventions.

Nonetheless, from his statements of 20 January 2002 it appears that the US Defence Secretary, Donald Rumsfeld, does not share Jack Straw's view; furthermore, reports published on 21 January suggest that Mr Straw was subsequently 'corrected' by his Prime Minister, Tony Blair.

Does the Spanish Presidency intend to undertake decisive action aimed at making the US Administration fully aware of the ideas and principles – which Europe is proud to hold – upheld by Mr Solana and Mr Straw?

(2002/C 229 E/064)

**WRITTEN QUESTION E-0236/02**

**by Anna Karamanou (PSE) to the Council**

(7 February 2002)

*Subject:* Concerns over the 110 prisoners in Guantanamo

The treatment of the 110 prisoners in the American Guantanamo base in Cuba who are thought to have had links with the al-Qa'ida network has aroused world-wide indignation. Various international bodies and non-governmental organisations have protested about both the inhumane transportation and detention conditions of those in the American base, and the legal regime under which they are being held.

What steps does the Council intend to take to ensure that the conditions of transportation and detention of the prisoners in Cuba are investigated and that a competent tribunal pronounces on the legal status of the detainees and, in particular, whether they are entitled under the provisions of the Third Geneva Convention to prisoner of war status? How will it ensure that, in any case, their human rights are fully respected and they are treated humanely, in accordance with the Geneva Convention and the International Covenant on Civil and Political Rights?

(2002/C 229 E/065)

**WRITTEN QUESTION E-0239/02**

**by Alexandros Alavanos (GUE/NGL) to the Council**

(7 February 2002)

*Subject:* Violation of the human rights of Afghan prisoners of war

A large number of prisoners of war captured in the Afghanistan war have been transported to the American Guantanamo base in Cuba, while a small number of prisoners of Algerian origin have been taken to the American base in Bosnia. There is irrefutable detailed evidence that the treatment of the captives, both during their transportation and their detention at the Guantanamo base, is akin to conditions of captivity in Taliban-type regimes, and certainly not to those in states which are supposed to defend human rights and respect the international agreements and conventions which they have signed for the protection of these rights.

In view of the direct involvement of European Union Member States in the Afghanistan war, what steps has the Council taken to ensure that the rights of prisoners of war are respected, and what does it intend to do to ensure that all the prisoners receive impartial justice? Does the Council intend to send observers to the bases where prisoners are being held, and legal experts to monitor legal procedures during the administration of justice?