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## Tracking rendition aircraft as a way to understand CIA secret detention and torture in Europe

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We examine how the tracking of rendition aircraft has provided a much fuller understanding of the CIA's rendition, detention and interrogation programme. In particular, we show how this illuminated the role played by European states. Through various investigative methods, new rendition aircraft were identified, significant amounts of flight data were gathered, and data on all known and suspected rendition flights were collated into one public, searchable database. We show that examining logistical elements of covert programmes can prove fruitful for security and human rights research. Furthermore, we demonstrate the benefits of close academic-practitioner collaboration in the field of human rights.

**Keywords:** rendition; secret detention; torture; CIA; human rights

### Introduction

On 24 July 2014, the European Court of Human Rights (ECtHR) delivered landmark judgments in two related cases regarding CIA rendition, secret detention and torture. In both cases, lawyers for prisoners who are now held in Guantánamo Bay – Abd al-Rahim al-Nashiri and Zayn al-Abidin Muhammad Husayn (Abu Zubaydah) – had alleged that their clients were secretly detained in Poland during 2002 and 2003, where they were repeatedly tortured by the CIA. The court found that these allegations were ‘sufficiently convincing’ and accepted the applicants’ accounts as established ‘beyond reasonable doubt’. It also found that Poland itself had ‘known of the nature and purposes of the CIA’s activities on its territory’, and had ‘cooperated in the preparation and execution of the CIA rendition, secret detention and interrogation operations’.<sup>1</sup> As a result, the court found Poland to have violated multiple articles of the European Convention on Human Rights (ECHR): namely, Article 2 (right to life); Article 3 (prohibition of torture); Article 5 (right to liberty and security); Article 6 (right to a fair trial); Article 8 (right to respect for private and family life); and Article 13 (right to an effective remedy).<sup>2</sup>

These judgments represented the first time that a court had established beyond doubt that European territory had been used in the War on Terror to house so-called ‘black

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sites': secret prisons built and run by the CIA with the acquiescence of host governments, wherein prisoners were held secretly for months or years on end, without access to legal representation or other contact with the outside world. These black sites existed alongside a series of prisons run by local security forces, which were either secret themselves or which otherwise housed secret prisoners detained in the War on Terror. In such cases, the CIA transferred prisoners into and out of the sites, and was granted access to those detained within, while prison security and interrogations were overseen by local forces. The CIA's rendition, detention and interrogation (RDI) programme provided the overarching framework for the establishment and operation of this secret prison network, which operated at numerous locations across four continents, and encompassed the detention of at least 119 terror suspects during the first five years of the War on Terror.<sup>3</sup> These prisoners were held incommunicado, in conditions which amounted to torture, cruel, inhuman and degrading treatment, and subjected to a regime of interrogation practices which, employed together and in many cases individually, clearly constituted torture.<sup>4</sup> Indeed, recent and further details of the treatment of these prisoners, contained within the December 2014 publication of a redacted version of the 499-page executive summary of the Senate Select Committee on Intelligence's study into the CIA's programme (hereafter the SSCI report), demonstrates definitively that many were subjected to a brutal regime of interrogation and torture. Abuses within CIA prisons included drowning to the point of unconsciousness, repeated beatings, the use of ice baths and hoses to induce hypothermia, sleep deprivation for more than a week at a time, painful stress positions for months at a time, prolonged confinement in extremely small boxes, and sexual assault by forced feeding through the rectum.<sup>5</sup>

The involvement of European security services in the United States (US)-led rendition, secret detention and interrogation of terror suspects was particularly marked. European intelligence agencies were involved in the initial detention of suspects on European soil, in the provision of intelligence to the CIA that led to the capture of suspects, and in the interrogation of suspects in detention.<sup>6</sup> Questions have also been raised about the complicity of European states regarding the free movement of rendition aircraft across European airspace.<sup>7</sup> It was, however, the establishment of CIA black sites in Europe which most clearly demonstrated the alignment of European governments with a number of abusive and illegal practices in the War on Terror. At various points between December 2002 and March 2006, suspects were detained, in secret, in at least three countries: Poland, Romania and Lithuania. These prisons were central to the RDI programme: the most high-profile of prisoners, including those most closely linked to the 9/11 attacks, spent months or years detained in secret in one or more of these European states. Moreover, some of the most egregious abuses emerging from the CIA's programme took place in these prisons, including waterboarding, mock executions and stress positions so severe that, in one case, observers were concerned that the prisoner's arms would dislocate from his shoulders.<sup>8</sup> Suspects detained in these prisons were subjected to an interrogation regime designed, in the words of one interrogator, to take them 'to the verge of death and back again'.<sup>9</sup>

The ECtHR judgments with regards to Poland's role in the programme were significant not only in terms of establishing the facts regarding the two particular cases before the court, and not only in terms of establishing a precedent for holding states to legal account for their abusive counterterrorism practices. The judgments also demonstrated the impact of the work of a small group of investigators who have sought to expose the secret prison network through the tracking of CIA rendition aircraft and the collation and analysis of flight data. The European black sites did not exist in isolation from one another, nor from

prisons elsewhere in the world. Rather, they formed part of a global network of detention facilities, connected to one another through hundreds of ‘rendition flights’ by civilian aircraft, operated by or on behalf of the CIA. These aircraft were used to transfer prisoners, interrogators and other US officials between prisons, in flights undertaken without public acknowledgement and entailing multiple violations of international law.<sup>10</sup> Identifying the aircraft involved in the RDI programme, and tracking their movements through the collection of flight data, has been crucial to establishing the connections between prison sites, and to mapping the evolution of the programme over time. Indeed, the US and its allies have worked steadfastly to prevent details of the programme from emerging, with its component elements designed with secrecy and plausible deniability specifically in mind. The rigorous collection and analysis of data relating to the underlying logistical elements of the RDI programme has, in turn, often played a key role in overcoming the layers of secrecy in which rendition, secret detention and torture have been shrouded.

This article will examine how the tracking of rendition aircraft has been used to build a clearer picture of CIA secret detention and torture in Europe. It will focus specifically on the findings of a collaborative project the authors conducted between 2010 and 2013, working as human rights investigators – for the legal action charity Reprieve (Black) and for Reprieve and the human rights non-governmental organisation (NGO) Interights (Kostas) – and as academics at the University of Kent (Blakeley) and Kingston University (Raphael) working under the banner of The Rendition Project. Our collaboration has built on past efforts by a range of investigators, but has also resulted in significant new findings. By gaining access to data collected by authorities for other purposes (in this case, air traffic management), and using our resulting database as a springboard for further investigative work (including the sourcing and analysis of non-public business records), we were able to establish a clearer picture of the operational elements of rendition. This includes the identification of a hitherto-undiscovered contracting network involving the CIA and a range of private companies providing outsourced support for the RDI programme. Further, through the triangulation of findings with other sources, such as prisoner testimony, declassified government documents and media accounts of briefings by CIA officials, the team has made significant advances in understanding how European black sites were connected to one another, and to the wider global network of secret prisons, as well as providing confirmatory evidence regarding who was detained in those sites and how they were treated. In some cases, when matched with other forms of evidence our flight data has played a central role in the ongoing battle by legal teams to substantiate claims of the locations and duration of specific cases of secret detention and torture, thus enabling cases to be brought to courts such as the ECtHR.<sup>11</sup> And importantly, as will be discussed in this article, our work to date has allowed us to uncover the information that has been obscured by many of the most significant redactions in the SSCI report, thus enabling a greater understanding of the programme than foreseen by those who took the report through the declassification process. This deconstruction, and subsequent reconstruction, of the SSCI report is an ongoing research project of ours, launched in January 2015 in partnership with The Bureau of Investigative Journalism.<sup>12</sup> And in this context, it is already clear that our database is going to prove central to further advances in understanding the role of Europe in the CIA’s programme.

In a wider sense, our work also provides an example of how a focus on logistical elements of covert programmes can prove a fruitful avenue for research in the fields of security and human rights. As such, we have contributed to the growing body of investigative work that uses rigorous analysis of public and non-public data sets – including data secured under Freedom of Information (FOI) legislation – as a central component in

efforts to uncover the workings of covert programmes, whether that be tracking illegal arms shipments,<sup>13</sup> mapping federal procurement for covert operations,<sup>14</sup> or identifying the range of US agencies and individuals working on ‘top secret’ programmes.<sup>15</sup> Even more broadly, our work demonstrates the mutual benefits which can accrue from close collaboration between academics and practitioners in the field of human rights. Through establishing data-sharing and project oversight mechanisms, and through a commitment on both sides to ensure that academic rigour in project design and execution was accompanied by an emphasis on sharing findings beyond the academy, our project has had some modest success in its explicit objective of straddling the academic and practitioner worlds, and of producing findings of relevance to both.

### **Understanding CIA secret detention in Europe**

Despite the landmark ECtHR judgments in July 2014, and despite the unprecedented level of detail revealed in the SSCI report, much remains unknown about the RDI programme. High levels of operational secrecy, combined with persistent attempts by governments involved in the programme to ensure that limited details are published, mean there continue to be significant impediments to developing a full understanding of what took place. The prisoners themselves were transferred and detained in ways designed to disorientate, and thus to protect the programme from discovery following their release. The use during rendition operations of hooding and other forms of sensory deprivation (such as ear defenders), along with drugging, placement in boxes and other containers, was typical.<sup>16</sup> At times, rendition operations involved circular or extended flights as a form of deception.<sup>17</sup> Once rendered to a black site, prisoners continued to be denied knowledge of their whereabouts. It has been reported that at least some of the prisons were constructed using identical blueprints, so prisoners moved between them would be unsure of where they were.<sup>18</sup> Cells were built far apart from one another, and the use of loud music and ‘white noise’ throughout the facilities was designed to wear prisoners down, but also to prevent communication. In at least one case, it appears that cells were built on springs so as to keep prisoners off-balance and disorientated.<sup>19</sup> Guards and interrogators were often masked, used false names and communicated to each other and to prisoners in silence, using hand signals. Other forms of deception, such as the manipulation of prayer schedules, and the provision of ‘local’ food from other regions, have also been documented. As a result, many of those detained within the CIA prison network remain unclear as to where they were, or who was responsible for their mistreatment.

The US government under both the Bush and Obama administrations has also systematically attempted to minimise publication of details about the programme. ‘Many specifics of this program’, Bush declared in September 2006, ‘including where these prisoners have been held and the details of their confinement, cannot be divulged’.<sup>20</sup> And despite publicly decrying the abuses of the Bush years, and outlawing many of the central elements of the RDI programme, the Obama administration has maintained a similar position to its predecessor, refusing to reveal details about the location of black sites and the identities of the interrogators. Even members of the SSCI were refused this level of detail: the names of the countries that hosted the black sites, the names of the countries with which the CIA negotiated the hosting of sites, and the names of non-supervisory personnel were replaced by pseudonyms for the committee (country names were replaced by letters, e.g., Country A). In a further layer of secrecy, these pseudonyms (including all country letters) were then redacted during the declassification process in preparation for public release.<sup>21</sup> As a result, although the SSCI report reveals many new details about the operation of the

programme, the role played by European states remains entirely hidden within official accounts.

Despite these barriers to a full accounting of the RDI programme, a partial picture has emerged of CIA secret detention in Europe. The first details were published in November 2005, when Dana Priest at *The Washington Post* cited US and foreign officials who claimed that ‘the CIA has been hiding and interrogating some of its most important al Qaeda captives at a Soviet-era compound in Eastern Europe’, and that this was one of ‘several democracies in Eastern Europe’ which formed a part of the covert prison system.<sup>22</sup> Although *The Washington Post* decided not to publish the names of the countries involved, Human Rights Watch released a statement shortly afterwards declaring that there were secret prisons in Poland and Romania.<sup>23</sup> These allegations sparked outcry across the continent. Within several weeks, two parallel intergovernmental investigations were established: one by the European Parliament, led by rapporteur Giovanni Claudio Fava (hereafter, EP); and a second by the Council of Europe, led by rapporteur Dick Marty through the Parliamentary Assembly’s Committee on Legal Affairs and Human Rights (hereafter, PACE). Together, these investigations laid out the contours of European complicity. PACE concluded that there existed a ‘global spider’s web’ of rendition and secret detention involving CIA black sites, Department of Defense detention facilities, third country prisons, and rendition flights linking these sites.<sup>24</sup> Regarding black sites in Europe, the final report concluded confidently that ‘there is now enough evidence to state that secret detention facilities run by the CIA did exist in Europe from 2003 to 2005, in particular in Poland and Romania’.<sup>25</sup>

Media accounts of unattributed briefings from former CIA officials and officials in the host countries, site visits and other investigations have enabled some details of the black sites in Europe to emerge. The Polish site consisted of two buildings within a military intelligence training base, located in the woods outside the village of Stare Kiejkuty in the lakes region of north-eastern Poland. Recent reports suggest that the CIA paid its Polish counterparts \$15 million in cash for the use of the site, and at least \$300,000 for improvements at the site (including the installation of security cameras and the conversion of the two-storey villa and adjacent shed).<sup>26</sup> The location and layout of the Romanian site, code-named ‘Bright Light’, were revealed in December 2011 by journalists working for *Associated Press* and the German ARD news programme *Panorama*. The team confirmed that they had spoken to ‘former US intelligence officials familiar with the location and inner working of the prison’ and that the site was located in the basement of a building in northern Bucharest used by the National Registry Office for Classified Information (ORNISS) to store sensitive European Union (EU) and NATO files. The basement was, according to one senior ORNISS official, ‘one of the most secure rooms in all of Romania’.<sup>27</sup> In Lithuania, meanwhile, an investigation by the Seimas (Lithuanian Parliament) Committee on National Security and Defence (CNSD) confirmed that the country had hosted two sites on behalf of the CIA: Project No. 1, a single-storied detached building in the centre of Vilnius; and Project No. 2, a larger facility housed at a former horse-riding school in the village of Antaviliai, on the edge of woodland 15 miles from Vilnius.<sup>28</sup> According to *ABC News*, citing unnamed Lithuanian and US officials, the CIA ‘built a thick concrete wall inside the riding area. Behind the wall, it built what one Lithuanian source called “a building within a building”. On a series of thick concrete pads, it installed what a source called “prefabricated pods” to house prisoners, each separated from the other by five or six feet. Each pod included a shower, a bed, and a toilet. Separate cells were constructed for interrogations’.<sup>29</sup>

In each case, pre-existing buildings were adapted to provide bespoke detention facilities suitable for housing a relatively small number of prisoners. According to press reports, the



logistical elements of construction were largely overseen by Kyle D. Foggo, then head of the CIA's main European supply base in Frankfurt, with CIA engineers and contract workers involved.<sup>30</sup> There is also evidence that local security forces and private contractors were involved in the construction of the black sites in Europe.<sup>31</sup>

These sites in Poland, Romania and Lithuania were important nodes in a worldwide network of prison locations. We shall argue in this article that the study of transfers between these locations has proved essential for understanding both the evolution of this network and the fate and whereabouts of those detained and tortured within it.

### **Foundational efforts to track rendition aircraft**

The use of rendition aircraft, operated by or on behalf of the CIA, was central to the RDI programme. In turn, the suspicious movements of certain aircraft across the globe provided one of the first indications of a covert detention programme in the War on Terror, supplementing the early testimony during 2004–2005 from some of those who had been CIA prisoners and had either been released or were in US military custody at Guantánamo Bay.<sup>32</sup> As the importance of these aircraft became clearer, investigators began to track their movements, thus building the first data sets regarding renditions.<sup>33</sup> As a result, by the time that PACE and EP investigations had begun their work at the end of 2005, they were able to compile lists of aircraft identified by a range of investigative journalists and NGOs as 'suspected either of belonging to the CIA or of being operated on the CIA's behalf by "front companies"'.<sup>34</sup>

It was these lists of aircraft which formed the springboard for both investigations. With suspicious aircraft in mind, the EP and PACE teams were able to request flight data from Eurocontrol, the pan-European agency responsible for coordinating the management of European airspace. In the case of PACE, this request was for the movement of 55 registration numbers, which are used as unique identifiers for aircraft within air traffic management systems.<sup>35</sup> Flight records on 36 of these aircraft were received by PACE in early 2006, documenting 2545 individual flights in European airspace, along with a set of aeronautical data strings pertaining to particular flights of interest.<sup>36</sup> In this context, data strings are understood to be 'exchanges of messages or digital data between different entities (including aviation service providers, Air Navigation Services authorities, airport authorities and government agencies) around the world on the Aeronautical Fixed Telecommunication Network (AFTN) or the Société Internationale Télécommuniqué Aéronautique (SITA) Network'.<sup>37</sup> Such messages include flight plans sent by aircraft operators (or their contracted 'trip planners') to relevant air traffic authorities, communicating the intended destination, route and timings of a flight, as well as any special status. The EP investigation also had access to Eurocontrol data, as well as flight data from the Federal Aviation Administration (FAA) in the US. This team had its own list of 36 tail numbers, and logged 1939 separate aircraft movements across European airspace (including 1245 stopovers in Europe) between December 2001 and February 2006.<sup>38</sup> Together, this data pointed towards locations in Europe likely to have been used as sites for CIA secret detention or as connecting points in the network (e.g. refuelling stops). In particular, the data allowed investigators to identify Poland and Romania as potential black site locations, given the frequency and characteristics of landings in these countries by suspicious aircraft.<sup>39</sup>

Freedom of Information requests by the Open Society Justice Initiative (OSJI) and the Warsaw-based Helsinki Foundation for Human Rights (HFHR), conducted in 2009 and 2010, led to the release of further flight data connecting rendition aircraft to the Polish black site. Specifically, portions of data strings, landing records and other flight data held



by the national air traffic authorities – the Polish Air Navigation Services Authority (PANS) and the Border Guard Office – were obtained, providing public confirmation that rendition aircraft had landed in Poland throughout 2003.<sup>40</sup>

These investigations led to the identification and tracking of several key aircraft, most of which were owned by the CIA via a shifting array of shell companies such as Stevens Express, Premier Executive Transport, Rapid Air Transport, Path Corporation or Aviation Specialties.<sup>41</sup> These companies were the registered owners of the aircraft, but only existed on paper as a front for the CIA. They were regularly dissolved, with the aircraft ‘sold’ to other shell companies and often reregistered with new tail numbers along the way to cover tracks. Meanwhile, the aircraft themselves were operated by a set of real companies, responsible for maintenance, providing hangers and arranging the logistical details for each flight circuit. Many of these operating companies, such as Aero Contractors, Pegasus Technologies and Tepper Aviation, have been reported as having very close links to, or even working exclusively for, the CIA.<sup>42</sup> Other companies appearing in the data strings, such as Jeppesen International Trip Planning/Jeppesen Dataplan and Universal Weather and Aviation, were companies providing so-called trip planning services to a range of corporate and government clients. These companies were responsible for ensuring that the required flight plans were filed, overflight and landing authorisations received and hotel reservations booked.

Investigations also uncovered the use of false flight planning to disguise rendition operations. These provided air traffic authorities with incorrect destination airports, ensuring that the paper trail did not highlight their true landing locations. As a result, significant sections of the Eurocontrol data made available to PACE are fragmentary and contradictory: aircraft are documented as taking off from an airport but not as arriving at it previously; multiple flight plans are filed on the same day to a range of destinations; aircraft appear to jump between airports with no log of an intermediate flight. In addition, flight plans for important operations were often tagged with one of a range of ‘special status’ designations denoting a diplomatic or state function for the flight. These designations allowed aircraft to bypass the normal rules of air traffic management, and in this way minimise reporting to authorities and expedite aircraft movements.<sup>43</sup>

### **Recent advances in tracking rendition aircraft: Reprieve, The Rendition Project and the ‘prime contract’**

Work by investigators up until 2010 brought many aspects of the RDI programme to light. However, while several key rendition aircraft had been identified and extensively tracked, it is now clear that many others remained unknown to investigators. This profoundly affected the scope of the resulting data sets, given that the primary data collection method of all investigations relied upon a predetermined list of suspicious aircraft thought to have been involved in the RDI programme. Little was also known about the connections between individual aircraft, and how each was integrated into the overarching RDI programme.<sup>44</sup> This was particularly true with regard to the aircraft leased by the CIA, and a lack of understanding regarding operational details – such as contracting networks, supporting companies, and the global system of landing permits at US bases – meant that connections between apparently unrelated flights were missed and the identification of further suspicious aircraft was hampered. It was also the case that prior investigations, through a heavy reliance on data supplied by European air traffic authorities, resulted in flight data sets with a significant bias towards flights into, within, and out of European airspace. The Eurocentricity of the data, coming not least as a result of the relative transparency of

public authorities in Europe as compared to Africa, the Middle East and Asia, meant that it was often possible to track aircraft in some detail as they flew from the US to Europe, passed through Europe (stopping over on the way through for refuelling), and onwards to a next destination (typically in North Africa or the Middle East). In contrast, it was possible to say much less about where aircraft went to after that next destination, and what would sometimes have been multi-stop circuits throughout Africa and Asia often remained wholly absent from the collected data.

With these gaps in mind, a major advance in the field after 2010 has been the identification by Reprieve of a contracting network which united several known aircraft and many other previously unknown ones in a coherent pattern of behaviour. Operating alongside – and, to an extent, during a later period than – those aircraft owned by CIA shell companies, the commercial on-demand charter aircraft operators involved in this network provided a second set of aircraft for rendition operations, along with pilots, crew and all other logistical requirements (so-called ‘wet leasing’). In May 2011, Kostas and Black uncovered the existence of a US district court case between two companies involved in RDI outsourcing: operating company Richmor Aviation and broker SportsFlight. They obtained court records including a significant bundle of paperwork which had been disclosed by the parties as evidence. This led to the identification of key sources and, subsequently, to the receipt of thousands of pages of further material. The material was data-mined and ordered with the assistance of volunteers at Reprieve. Overall, this revealed the existence of a contracting network established by the US government to fly prisoners, interrogators and other officials between black sites, and to Guantánamo Bay. Documents include quotes, invoices, billing reconciliations, subcontracts and subcontract task order modifications, all of which laid out the intricacies of the programme to an extent never before revealed.

The contractual and invoicing documents uncovered in this way have been used to build an unprecedented picture of a coherent branch of the RDI programme. No documentation had so far emerged showing with such clarity how the US government and its contractors had worked together to service CIA black sites and facilitate prisoner movements between them.<sup>45</sup> The court documents identified two successive prime contractors, DynCorp Systems and Solutions, LLC (hereafter, DynCorp) and Computer Sciences Corporation (CSC), which were operating under a ‘prime contract’ with the CIA.<sup>46</sup> These companies undertook to organise flight operations on behalf of the US government. They subcontracted to two brokering companies – Capital Aviation and SportsFlight – which in turn contracted with more than a dozen aircraft operating companies to secure the services of particular aircraft and the logistics required to mount global, multiday trips.<sup>47</sup> Analysis of documents relating to these business relationships has led to the identification of over 60 aircraft operating under contract for the CIA rendition programme, only 10 of which had been previously investigated by the PACE and EP inquiries. Crucially, and innovatively, individual trips by these aircraft could be traced back, using invoicing and contractual reference numbers, to the network and thereby to the government.

Throughout the second half of 2011, Reprieve worked with the transparency organisation Access Info Europe to conduct further investigations into the movements of these newly discovered aircraft. These organisations undertook a concerted programme of FOI requests in 27 countries in order to secure the release of relevant flight data. The results of this project pointed to significant variations in effectiveness and implementation of European right to information laws, although significant new data did emerge from Lithuania, Poland and the US.<sup>48</sup> The project also pointed to a significant limitation in the scope of transparency laws: in particular, the most important single data source – Eurocontrol – remains outside any access to information regime and only provides data *ad hoc* to

certain national and supranational bodies. Major Eurocontrol data disclosures were ultimately obtained via collaboration with the Rapporteur for the European Parliament's Committee for Civil Liberties, Justice and Home Affairs in 2012.<sup>49</sup>

Collaboration between Reprieve and The Rendition Project, beginning in late 2011, facilitated the collation of this new data alongside other data sets compiled by a range of investigators. The resulting Rendition Flight Database (hereafter, 'the database') contains both the original PACE and published EP data alongside that secured in more recent investigations. The database, which comprises over 11,000 flights by more than 200 aircraft, has enabled further details to emerge regarding hundreds of circuits by aircraft linked to the RDI programme.<sup>50</sup> Specifically, the database contains the most comprehensive public account to date of over 60 identified rendition operations, where particular circuits have been matched to known prisoner transfers. The database also includes over 200 further circuits which involve a landing in at least one secret prison destination. Many of these include direct flights between two or more known secret prison destinations, pointing to further rendition operations; others may have carried interrogators or other officials to, from or between secret prisons. Importantly, for many of these circuits, each individual data set comprising the database contains only partial records of an aircraft's movement. It has only been through the collation of multiple data sets, and a corresponding match with contracting paperwork to tie specific circuits to the RDI programme, that relevant and meaningful circuits have been reconstructed. This has undoubtedly led to a more complete accounting of the movements of rendition aircraft: while some of the circuits in the database had been identified by previous investigations, many have been new discoveries as a result of our work.<sup>51</sup>

With the publication of the database in May 2013, The Rendition Project and Reprieve have provided the largest publically available record of rendition flights to date. It is worth noting that our database is still limited by the Eurocentricity of many of our sources, and the relative difficulties in accessing flight data from some regions means that several major lacunae still exist. This is an important qualifier, as the absence in our database of many flights into countries such as Pakistan, Syria, Djibouti and Iraq reflects only the barriers to data collection, and should not lead to the conclusion that such flights did not take place. Having said this, our contracting documentation in particular has no geographical bias, and does allow for a larger window into the global operations of rendition aircraft in the War on Terror. Analysis of the database has, in turn, led to a much clearer picture of operations in European black sites and their connections to each other and to other sites in the prison network. It is to these key findings that we now turn.

### **Connecting European black sites**

Establishing a clearer understanding of which aircraft were involved in the RDI programme, and a more comprehensive set of data regarding the movements of these aircraft between 2001 and 2006, has been an important investigative step: it has enabled a more complete picture to emerge of how secret prisons in Europe were connected to other prisons in the system during this time, and when prisoner transfer operations into and out of Europe may have taken place. The database now contains 23 circuits by 15 separate rendition aircraft which link the European black sites to each other, and to the wider network. For full details of each of these circuits, see [Appendix A](#).

It is worth noting that the database documents many more flights into or out of Poland (60), Romania (303) and Lithuania (21). The 23 highlighted circuits are a subset of these flights: they were undertaken by aircraft firmly established by past investigations, and by

our analysis of the contracting paperwork, as operating within the RDI programme; there is data which confirms, in these specific cases, direct flights between European black sites and other secret prison destinations; and the documented circuits took place during the period that the sites are thought to have been operational. It remains possible (indeed, likely) that there are other relevant circuits in the database, but that gaps in the data or our knowledge of the aircraft involved lead us at this stage to discount them from our findings. Further, it is almost certain that other rendition aircraft remain unidentified, and some of these may have been used to connect the European black sites.

Although some of the circuits were identified by earlier investigations – especially flights connecting Poland during 2003 – our analysis of the contracting documents, FOI releases and new Eurocontrol data has led directly to numerous discoveries. In fact, of the 23 circuits in the database connecting European black sites, 11 are new discoveries, comprising 14 separate flights: four of the nine flights into Romania; six of the seven flights out of Romania; and all four circuits connecting Lithuania to the wider secret prison network. In the case of four further circuits, some details were known prior to our work, but our findings have revealed important additional facts. For each of these 15 cases, our contracting data definitively ties the circuits to the same corporate network as numerous other rendition circuits, and the itineraries in each case clearly link secret prison locations.

This more complete picture of CIA rendition flights into and out of European black sites helps to develop broader understandings of the evolution of the RDI programme, and the significance of each site within it. CIA prisons in Europe did not exist in isolation from one another, nor in isolation from the broader, global network of prisons. Key rendition circuits indicate that prisoners were often moved between sites in Europe, or into, out of, and then back into Europe on flights connecting these sites to other secret prisons in Afghanistan, the Middle East, North Africa and Guantánamo Bay. Flight data confirm and clarify other sources which suggest that the global network of black sites was not static: individual prisons were not all operational at the same time, but appear to have been used in rotation, with prisoners often moved between them in groups. In this context, flight data can be used to identify key moments where particular secret prisons were closed and their prisoners moved to another site.

The database confirms that the Polish black site was first connected to the wider network of secret prisons in December 2002, with a rendition flight landing at Szymany from the CIA's first official detention site, in Bangkok, Thailand.<sup>52</sup> Eurocontrol data analysed by the PACE investigation had already identified a landing at Szymany in December 2002 by the aircraft with registration number N63MU as suspicious, given that it had filed a false flight plan from Dubai to Vienna to mask the landing at the Polish airport.<sup>53</sup> It was not until 2010, however, that the full itinerary of the aircraft was revealed, including the landing in Bangkok (and thus the connection between the two black sites).<sup>54</sup> The DynCorp/CSC documents gathered and analysed by our team – including invoices, billing information and contracts for the circuit – confirm the details of the route flown, as well as the fact that N63MU undertook this mission for DynCorp, on behalf of the US government, and that contractual arrangements for this mission were related to those for other identified rendition missions.<sup>55</sup>

Further flights into and out of Poland during 2003, all sharing the characteristics of rendition operations, connect Stare Kiejkuty with detention locations in Morocco and Afghanistan, as prisoners were rendered between them (see [Appendix A](#) for full details). Several sources suggest that the Polish site was then closed in September 2003, with remaining prisoners moved to other secret prisons in the network. According to some CIA sources,

speaking off the record, this reshuffling (as well as others) was carried out to avoid the exposure that was likely if one location was maintained for too long.<sup>56</sup> The database confirms a key circuit matching these claims: between 20 and 25 September 2003, the aircraft N313P flew from Kabul to Szymany, then on to Bucharest, Rabat and Guantánamo Bay, in what some in the CIA have labelled, scathingly, a ‘five-card straight revealing the program to outsiders: five stops, five secret facilities, all documented’.<sup>57</sup> Other characteristics, including the filing of false flight plans and the use of STS designators, offered further indicators that this was a prisoner transfer circuit.<sup>58</sup>

The closure of the site at Stare Kiejkuty appears to have been timed alongside the opening of the black site in Romania, situated in Bucharest.<sup>59</sup> The September 2003 circuit linking Kabul and Szymany to Bucharest is the first indication in the database of Romania being linked to other prison locations by a plane known to have been involved in the RDI programme. After this date, however, we are now able to identify eight other circuits which appear to involve prisoner transfers into Romania throughout 2004 and 2005 from other secret prisons in the network, including the black site at Guantánamo Bay, Afghanistan, Jordan, Morocco and Egypt. The database also contains other circuits during this time which appear to be prisoner transfer flights *out of* Romania and to these other sites (see [Appendix A](#) for full details).

As it became clear to the CIA that the existence of its detention site in Romania was about to be exposed, it appears that the prison was swiftly closed. The database identifies four possible prisoner transfers out of Romania throughout 2005, to secret prison locations in Lithuania, Egypt, Jordan and Afghanistan.<sup>60</sup> Prisoners held in Romania during that time were likely to have been moved on board one of these flights, the last of which corresponds with the first public revelations of the CIA prison in the country.

Our findings have also been able to offer, for the first time, an account of prisoner movements through Lithuania. Initial research by *ABC News* suggested that prisoners were transferred there from Afghanistan in September 2004 and July 2005.<sup>61</sup> However, no independent data has yet been able to confirm these, and the planes in question were not recorded by the CNSD inquiry.<sup>62</sup> In contrast, there is now documentary evidence of three flights by newly identified rendition aircraft into Lithuania during 2005, which were recorded by the CNSD inquiry, although their full circuits (essential for understanding their purpose) were not ascertained at that time. Two of these circuits took place concurrently, in February 2005, and linked several black site locations in what appears to be a reshuffling of prisoners. The third, in October 2005, came from Romania as that site was being closed. And although some early reports suggested that the Lithuanian prison was closed in late 2005,<sup>63</sup> flight data indicate that prisoners were held at the site until March 2006. At this point, prisoners were likely to have been moved to Egypt or Afghanistan, on board the one rendition circuit out of the country identified thus far.

As well as establishing the existence of new flights connecting secret prison locations, our flight data contain numerous additional details indicating the continued effort on behalf of the authorities to conceal the operation of black sites and the flights connecting them. The filing of false flight plans, a technique uncovered by the PACE investigation, can also be observed in circuits undertaken by aircraft newly identified as connected to the RDI programme. The 18 February 2005 flight by N787WH from Romania to Lithuania, for example, was disguised by the filing of a flight plan from Bucharest to Gothenburg, Sweden. The true destination of the flight – Palanga, Lithuania – was identified by the CNSD investigation, and is confirmed by an invoice from Palanga airport authorities and by contracting paperwork.<sup>64</sup> Flight recording and customs inspection protocols were also modified in several of these cases, in order to ensure that knowledge of, and interference



with, the landings at black site destinations were kept to a minimum. The CNSD investigation found that on at least three occasions where aircraft landed in Lithuania – each of which we now know had come from other black sites, and were likely to be carrying prisoners – the SSD took over handling duties from the State Border Guard Service (SBGS) to ensure ‘the provision of assistance to an intelligence service in getting unrestricted access to aircraft and access to/departure from the territory of the airport’. The SBGS testified to the CNSD that its officers were prevented from inspecting these aircraft, and that no customs inspections were carried out.<sup>65</sup>

Our flight data analysis has also identified a significant diversionary tactic employed by the CIA and its contractors: the use of two aircraft to link two prison sites, meeting for a cargo-switch on the runway of a third country. Thus, one aircraft would fly from black site destination A to a third-country runway, where it would meet a second aircraft which had not visited anywhere suspicious. Both aircraft would be on the ground together for less than an hour – likely while prisoners were transferred between the aircraft – before the first aircraft left for home and the second aircraft flew its cargo to black site destination B. As a result, flight records document no one flight linking the black sites, making it far more difficult to identify potential rendition operations. Four such ‘combined circuits’ have been identified as a result of our analysis, connecting prison sites in Romania, Lithuania and Afghanistan between May 2005 and March 2006 (see [Appendix A](#) for full details).

Analysis of flight data and associated documentation relevant to these combined circuits establishes that, in some cases, multiple tactics were used simultaneously to disguise the true route of the aircraft. The March 2006 combined circuit between Lithuania and Afghanistan is representative of this.<sup>66</sup> A Boeing 737 aircraft with registration N733MA, operated by Victory Air Transport pursuant to the prime contract, had filed a plan for a flight from Portugal to Finland on 25 March 2006, but had actually flown to Lithuania. As the CNSD investigation found, the aircraft landed in Lithuania that evening and left 90 minutes later. However, rather than returning to Portugal, as recorded by Lithuanian authorities, other records retrieved from both Eurocontrol and the Polish authorities demonstrate it in fact flew to Egypt, where it was on the runway in the early hours of 26 March. Other data show that another Boeing 737 aircraft, with registration N740EH and operated by Miami Air International also pursuant to the prime contract, was at Cairo airport on the same night, and the two were on the ground at the same time for about 30 minutes. N740EH then took off, presumably with prisoners now on board, and flew direct to Afghanistan. As well as disguising the true routes through filing false information, the accompanying contracting paperwork also attempts to keep the exact landing details secret, by replacing the correct airport codes with the anonymised codes TTT, WWW, XXX and ZZZ.

Overall, our work since 2010 – building on the important advances made before this date – has enabled a clearer understanding of how each of the European black sites were connected to one another, and to others in the global network. As a result of recent analysis of newly acquired flight data and associated documentation, it has been possible to identify a clear set of aircraft operating as part of a coherent contracting network run by the CIA for the purposes of the RDI programme; new flight circuits by these aircraft linking secret prison destinations in Europe with each other, and with sites elsewhere in the network; and a new set of diversionary tactics employed by the CIA in order to disguise the contours of the RDI programme. Flight data analysis, however, leads to more than just a clearer picture of the pattern and practice of rendition flights in the War on Terror. When triangulated with other forms of evidence, it can also be used to help map (geographically) the human rights abuses which resulted from the RDI programme, and thus identify the jurisdictions within which rendition, secret detention and torture took place. In turn, this has led

to a significant impact for advocacy efforts and for the attempts of prisoners formerly held at black sites to seek justice for the abuses they suffered. It is to the wider significance of our project that we now turn.

### **Mapping rendition, secret detention and torture: the significance of tracking rendition aircraft**

Tracking rendition aircraft can play a crucial role in seeking accountability for the multiple and systematic human rights abuses which resulted from the RDI programme. Rendition operations leave traces in the data which, especially in combination, may indicate complicity in enforced disappearance, secret detention and torture. Such traces can include repeated landings at particular airports; landings at locations which cannot be explained, geographically, as simple refuelling points midway through longer journeys; landings immediately before or after landings at known secret prison locations; landings at the same time and place as known rendition aircraft; landings as part of a documented contract which also encompasses proven rendition operations; and landings accompanied by the use of diversionary tactics used elsewhere for documented rendition operations. This type of analysis can suggest locations for secret prisons, as well as subsidiary (but nevertheless vital) nodes in the RDI programme, such as refuelling points and rest and relaxation locations for rendition teams.<sup>67</sup> In some cases, such analysis has provided the first indications of secret prison locations, which have then been confirmed through further investigation.<sup>68</sup> Elsewhere, flight data analysis has provided important corroborating evidence of secret detention facilities at a particular location.<sup>69</sup>

Establishing the locations of secret prisons in the network is an important investigative step, and underpins many efforts to ensure accountability. The analysis of flight data is at its most compelling, however, when triangulated with a range of other sources which identify those held within the programme, and the treatment to which they were subjected. Important sources in this regard include numerous first-hand accounts by those held within the programme and subsequently released,<sup>70</sup> as well as the testimonies taken by the ICRC from 14 ‘high-value detainees’ in Guantánamo Bay, all of whom had been through the CIA’s detention programme.<sup>71</sup> Such testimonies often give detailed chronological accounts of detentions and mistreatment. However, in themselves they are insufficient to constitute strong evidence as to where the detention and treatment occurred, since prisoners were often unaware of where they were, or could only make deductions from ambiguous phenomena such as weather conditions, guards’ language, food, and external noise. Two other types of evidence supplement these accounts. Declassified US government documents, such as the SSCI report, the 2004 report by the CIA’s Inspector General into treatment carried out in the early stages of the programme up to October 2003 (hereafter the ‘IG report’), and a set of official memoranda describing the detention and treatment regimes within the programme, together provide a detailed (although by no means complete) account of who was held in the black sites and how they were treated.<sup>72</sup> However, key details (such as locations) are redacted throughout these documents. For example, in the SSCI report each black site is referred to by a pseudonym, such as BLUE, GREEN, COBALT (which bears no relation to the operational names given by the CIA), while all information which could identify the countries in which they were located has been redacted. In addition to these official documents, selected journalists have been granted unattributed comments by particular CIA officials concerning the exact whereabouts of particular individuals.<sup>73</sup> Such briefings have often provided important indicators, but of course are uncorroborated. Moreover, the SSCI report found that the CIA in many cases provided



information to selected journalists as part of a coordinated attempt to ‘shape’ press reporting of the programme, often through the leaking of inaccurate information.<sup>74</sup>

The veracity of all these sources can be tested, and in some cases strengthened, by cross-referencing them with flight data. Flight data analysis of the sort described in this article provides falsifiable evidence which can corroborate inferences from government redactions, testimony of prisoners and unattributed statements of officials. In this way it has been possible to name several prisoners held together in Poland in 2002–2003, and tie accounts of their individual abuse to their time in that country. Thus, it can be established with a very high degree of certainty that the first rendition flight into Poland, from Bangkok to Szymany in December 2002, had Abu Zubaydah and Abd al-Rahim al-Nashiri on board. The SSCI report states that ‘in December 2002, when DETENTION SITE GREEN was closed, al-Nashiri and Abu Zubaydah were rendered to DETENTION SITE BLUE’.<sup>75</sup> A careful reading of two further US government documents, each of which has been partially declassified (but with differing information left un-redacted in each case) reveals the exact day of the transfer (4 December 2002) and the fact that the two men were transferred together from one location to another.<sup>76</sup> Flight data documents only one possible transfer by a rendition aircraft between known sites on that day, namely the trip by N63MU from Thailand to Poland.

Matching flight data with the SSCI report in other cases confirms that DETENTION SITE BLUE was in fact the Polish site. For example, the SSCI report states that ‘officers at CIA Headquarters decided that the CIA should obtain [redacted] custody of [Ramzi] bin al-Shibh [from the custody of a foreign government] and render him to DETENTION SITE BLUE in Country [redacted]’. The report then provides indications of when this rendition took place: ‘on February [redacted], 2003, in anticipation of bin al-Shibh’s arrival, interrogators ... prepared an interrogation plan’.<sup>77</sup> Unattributed comments by CIA officials have suggested that the foreign government concerned was Morocco, a fact which is supported by flight data matching the SSCI report’s earlier assertion that he was captured in Pakistan on 11 September 2002 and rendered to a foreign government ‘on September [redacted], 2002’.<sup>78</sup> By 12 February 2003, ‘CIA interrogators at DETENTION SITE BLUE assessed that bin al-Shibh was cooperative.’<sup>79</sup> Bin al-Shibh’s rendition from the custody of a foreign government (Morocco) to DETENTION SITE BLUE therefore took place at some point between 1 and 12 February 2003. Flight data provide independent confirmation of this rendition, and reveal the location of DETENTION SITE BLUE: the Gulfstream V with registration N379P flew from Morocco to Poland on 6 February 2003 (see [Appendix A](#)). In a similar fashion, the SSCI report’s findings that Khalid Sheikh Mohammed was rendered from DETENTION SITE COBALT to DETENTION SITE BLUE on ‘March [redacted], 2003’, and that he was subjected to an initial round of ‘enhanced interrogation techniques’ at BLUE ‘between March [redacted], 2003, and March 9, 2003’,<sup>80</sup> can be matched with a flight on 7 March by rendition aircraft N379P (see [Appendix A](#)). In Mohammed’s case, his own account to the ICRC gave other indicators which led him, independently, to consider that Poland was the place of detention. Others, such as Walid bin Attash, gave accounts to the ICRC which also closely match flights into Poland by aircraft known to have participated in rendition operations, and which disguised its landings at Szymany according to the methodology discussed above.<sup>81</sup>

Our recent work also supports accounts of prisoner movements during the later phase of the programme, 2004–2006, helping to build a picture of who was detained in Romania and Lithuania. Matching flight data with other sources alongside a close reading of the SSCI report allows us to determine that DETENTION SITE BLACK was the Romanian site and DETENTION SITE VIOLET was the Lithuanian site.<sup>82</sup> The database documents

flights into Romania from Guantánamo Bay in March and April 2004, and from Morocco in October 2004 and February 2005, each of which corroborates sources providing details of the movements of individual prisoners within the programme, and each of which has characteristics common to rendition flights.<sup>83</sup> In addition, the database documents flights which closely match the accounts of newly captured prisoners being transferred to Romania, where sources place Janat Gul and Abu Faraj al-Libi after their initial detention in Pakistan and then Afghanistan in July 2004 and May 2005 respectively.<sup>84</sup> Flight data from February 2005 has also corroborated the report of Abu Zubaydah's rendition from Morocco to Lithuania.<sup>85</sup>

Establishing where named individuals were held at particular times, and successfully unpicking the pseudonyms given to the black sites in the SSCI report, is crucial, as it geographically locates the CIA torture of named individuals within specific jurisdictions. For example, the SSCI report provides significant details of the torture conducted at DETENTION SITE BLUE. Shortly after al-Nashiri's arrival in Poland, interrogators concluded in a cable to headquarters that he was 'being cooperative, and if subjected to indiscriminate and prolonged enhanced measures, there is a good chance that he will ... suffer the sort of permanent mental harm prohibited by statute'. Regardless, headquarters sent an untrained interrogator to Poland to assess al-Nashiri, who led in the use of authorised and unauthorised 'enhanced interrogation techniques', such as mock execution, threats of torture with a power drill, threats of familial rape, and 'bathing' with a stiff brush in a technique designed specifically to cause pain.<sup>86</sup> According to the IG report, al-Nashiri was also subjected to 'potentially injurious stress positions':

Al-Nashiri was required to kneel on the floor and lean back. On at least one occasion, an Agency officer reportedly pushed al-Nashiri backward while he was in this stress position. On another occasion, [redacted] said he had to intercede after [redacted] expressed concern that al-Nashiri's arms might be dislocated from his shoulders. [Redacted] explained that, at the time, the interrogators were attempting to put al-Nashiri in a standing stress position. Al-Nashiri was reportedly lifted off the floor by his arms while his arms were bound behind his back with a belt.<sup>87</sup>

Prisoners' own accounts of treatment in what we now know was Poland confirm the use of the full range of authorised 'standard' and 'enhanced' interrogation techniques at the site, as well as unauthorised techniques.<sup>88</sup> Prisoners speak of being shackled naked and in a standing position, with wrists tied to the ceiling, for days or weeks at a time; being doused each day with cold water from a hosepipe; being refused solid food or sanitation; and being subjected to continuous artificial light and either music or 'white noise'; and, in some cases, being waterboarded.<sup>89</sup> Walid bin Attash was made to wear a diaper for ten days at a time, far in excess of the time allowed. 'On some occasions', he reported, 'the diaper was not replaced and so I had to urinate and defecate over myself'. During interrogations, he also 'heard sounds of a person being tortured next door'.<sup>90</sup> According to the IG report, Khalid Sheikh Mohammad was waterboarded 'in a manner inconsistent with' Department of Justice (DoJ) authorisations, in that he was subjected to it over 180 times during March 2003.<sup>91</sup> According to Mohammed, during this time his interrogators claimed they had had authorisation from Washington to give him a hard time, but that he would not be killed: 'I was told that they would not allow me to die, but that I would be brought to the "verge of death and back again"'.<sup>92</sup>

Torture was used by the CIA at its Romania site. Hassan Ghul, for example, was subjected to 59 hours' sleep deprivation after his arrival at DETENTION SITE BLACK, after which point he began to hallucinate. He was also hung from a ceiling for extended periods,

inducing mild paralysis and abdominal and back muscle pain.<sup>93</sup> Likewise, Janat Gul was subjected to ‘continuous sleep deprivation, facial holds, attention grasps, facial slaps, stress positions, and walling, until he experienced auditory and visual hallucinations’. According to cables from the site, Gul was ‘not orientated to time or place’, saw ‘his wife and children in the mirror and ... heard their voices in the white noise’ and, ultimately, ‘asked to die, or just be killed’.<sup>94</sup>

Rather less is currently known about prisoner mistreatment in Lithuania. It is clear, however, that those detained in the programme during 2005–2006 were, at the very least, subjected to a range of conditioning techniques, including hooding, blindfolding, shackling, and constant illumination and noise.<sup>95</sup> It is also clear that the impact of this form of prolonged, isolated, secret detention on those detained was considerable. According to the DoJ, it had ‘no illusions about the cumulative strain that these conditions may impose on prisoners ... These conditions are unrelenting and, in some cases, have been in place for several years. [These] conditions, taken together and extended over an indefinite period, may exact a significant psychological toll.’<sup>96</sup>

## Conclusion

In this article we have shown that the tracking of rendition aircraft has enabled us to significantly advance understanding of how the European black sites were integrated into the CIA’s global RDI programme. Our analysis confirms how significant the support provided by a number of European states was for the CIA’s global counter-terror operations. Specifically we have been able to identify new flight circuits by rendition aircraft which linked a number of secret prisons in Europe to each other and to a range of other sites elsewhere in the world that were also central to the RDI programme.

We have also been able to shed new light on the range of tactics used by the CIA to disguise a number of rendition operations, and thereby conceal elements of the RDI programme. This raises important questions about the capacity of the current architecture of global human rights governance to hold states to account for their complicity in rights violations, particularly when those states go to such considerable lengths to evade exposure and shield perpetrators from prosecution.

Nevertheless, an investigative focus on logistical elements of covert programmes has the potential to provide a window into at least some of the workings of such operations. In our work, this has been achieved through the triangulation of flight data with a range of other public sources. Building upon the work conducted by earlier investigators, we have been able to suggest locations for secret prisons, refuelling points for many rendition operations, and ‘rest and relaxation’ locations for rendition teams. We have been able to confirm the renditions of specific individuals and, importantly, we have been able to locate the mistreatment suffered by individuals to specific jurisdictions, and thus provide evidentiary support for those seeking redress through the justice system. In short, we have been able to advance understanding of the RDI programme by mapping many of the human rights violations which took place.

Mapping abuse in this way has important consequences for legal remedy. Indeed, the ECtHR has cited flight data, and accepted arguments drawn from flight data, in judgments on rendition and secret detention in three cases at the time of writing. In the case of *el-Masri v. the former Yugoslav Republic of Macedonia*, the court found that flight data ‘enhanced the applicant’s credibility’ regarding allegations of secret detention in Macedonia and subsequent rendition from there to Afghanistan, and formed ‘prima facie evidence in favour of the applicant’s version of events’.<sup>97</sup> In the cases of *Abu Zubaydah v. Poland* and *al-Nashiri*

v. *Poland*, the secrecy regime in Guantánamo Bay meant that the applicants were unable to provide a first-hand account of their detention. The court nonetheless found that evidence drawn from aviation data was ‘sufficiently convincing’ to place the applicants in Poland, and accepted that there was ‘no alternative explanation’ for the flight that had taken them there.<sup>98</sup> Further cases before the court and before domestic investigative bodies, ongoing at the time of writing, seek to use flight data (including our findings specifically) for a similar purpose, as independently verifiable evidence to support the central accusations.<sup>99</sup>

Tracking rendition aircraft can also impact upon attempts to document subsidiary abuses associated with rendition flights, and to create accountability for those involved in the rendition process itself. Flight data analysis and associated documentation demonstrate that several contractors were deeply embedded within the RDI programme, and clearly aware of the services they were providing for rendition operations.<sup>100</sup> Likewise, flight data confirm that a large number of states provided vital logistical support for operations, whether allowing prisoners to be embarked upon an aircraft on their territory, allowing a landing of a rendition aircraft with prisoner on board for refuelling, or allowing rendition aircraft on the way to or from a rendition operation to overfly or refuel on their territory. As a consequence, flight data analysis has played a central role in tort cases brought by former prisoners against the flight planning company Jeppesen Dataplan<sup>101</sup>; in the case of *Mohammed al-Asad v. Djibouti* at the African Commission on Human and Peoples’ Rights<sup>102</sup>; in the judicial review brought by Mohammed Saad Iqbal Madni against the United Kingdom (UK) for having allowed his transfer through Diego Garcia<sup>103</sup>; in parliamentary investigations into facilitation of renditions in Finland and Denmark<sup>104</sup>; and in police investigations into violation of domestic law by countries allowing the refuelling of aircraft rendition on the way to and from rendition operations.<sup>105</sup> In other cases, the *withholding* of specific flight data by authorities has directly impacted upon the ability of victims to seek redress through the court system.<sup>106</sup>

The impact of this work emphasises the wider value and importance of collaboration between scholars and human rights investigators in uncovering a range of practices by states that contravene their commitments under international human rights and humanitarian law. It is partly through the painstaking work undertaken by human rights investigators, investigative journalists and academics that states can be held to account for the ways in which they directly contribute to, or are complicit in, counterterrorism operations that involve substantial human rights violations. Two principles underpin such endeavours: first, an unflinching commitment to universal human rights for all, regardless of what an individual may be suspected of, at all times and in all places; and second, a commitment to the rigorous deployment of (often experimental) methods to analyse and triangulate an extensive range of public data, with the aim of uncovering traces of states’ covert practices so that they may be held to account.

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14. Crofton Black, *US Special Operations Command Contracting: Data-Mining the Public Record*, Remote Control Project, September 2014.
15. Dana Priest and William Arkin, *Top Secret America: The Rise of the New American Security State* (New York: Little, Brown and Company, 2011).
16. On the modus operandi of a CIA rendition operation, see Parliamentary Assembly of the Council of Europe (PACE), *Alleged Secret Detentions and Unlawful Inter-State Transfers of Detainees Involving Council of Europe Member States*, Committee on Legal Affairs and Human Rights, Doc. 10957, 12 June 2006, paras 79–87, [http://www.therenditionproject.org.uk/documents/RDI/060612-CoE-Alleged\\_Secret\\_Detentions.pdf](http://www.therenditionproject.org.uk/documents/RDI/060612-CoE-Alleged_Secret_Detentions.pdf). On the use of boxes on board rendition flights, see the testimony of Saad Iqbal Madni, BBC Radio 4, 'Torture by Facts?', *File on 4*, 28 July 2009, [http://www.therenditionproject.org.uk/documents/RDI/090728-BBC-Tortured\\_by\\_Facts.pdf](http://www.therenditionproject.org.uk/documents/RDI/090728-BBC-Tortured_by_Facts.pdf).
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18. David Johnston and Mark Mazzetti, 'A Window into CIA's Embrace of Secret Jails', *New York Times*, 12 August 2009.
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20. White House, 'President Discusses Creation of Military Commissions to Try Suspected Terrorists', news release, 6 Sept 2006, <http://georgewbush-whitehouse.archives.gov/news/releases/2006/09/20060906-3.html>.
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22. Dana Priest, 'CIA Holds Terror Suspects in Secret Prison: Debate is Growing Within Agency about Legality and Morality of Overseas System Set Up after 9/11', *The Washington Post*, 2 November 2005. See, also: Dana Priest, 'Foreign Network at Front of CIA's Terror Fight: Joint Facilities in Two Dozen Countries Account for Bulk of Agency's Post-9/11 Successes', *Washington Post*, 18 November 2005; Brian Ross and Richard Esposito, 'Sources Tell ABC News Top al Qaeda Figures Held in Secret CIA Prisons: 10 Out of 11 High-Value Terror Leaders Subjected to "Enhanced Interrogation Techniques"', *ABC News*, 5 December 2005.

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25. PACE, *Secret Detentions and Illegal Transfers of Detainees Involving Council of Europe Member States: Second Report*, Committee on Legal Affairs and Human Rights, Doc. 11302 rev, 11 June 2007, paras 7–8, [http://www.therenditionproject.org.uk/documents/RDI/070711-CoE-Secret\\_Detentions\\_and\\_Illegal\\_Transfers.pdf](http://www.therenditionproject.org.uk/documents/RDI/070711-CoE-Secret_Detentions_and_Illegal_Transfers.pdf). The Lithuanian prisons remained undisclosed until journalists working for *ABC News* first reported on it in August 2009. See, for example: Matthew Cole, 'Officials: Lithuania Hosted Secret CIA Prison to Get "Our Ear"', *ABC News*, 20 August 2009; Matthew Cole, 'Lithuanian President Announces Investigation into CIA Secret Prison', *ABC News*, 21 October 2009; Matthew Cole and Brian Ross, 'Exclusive: CIA Secret "Torture" Prison Found at Fancy Horseback Riding Academy', *ABC News*, 18 November 2009; Craig Whitlock, 'Lithuania Investigates Possible CIA "Black Site"', *Washington Post*, 19 November 2009.
26. Adam Goldman, 'The Hidden History of the CIA's Prison in Poland', *Washington Post*, 23 January 2014.
27. See: Goldman and Apuzzo, 'Inside Romania's Secret Prison'; John Goetz and Kristopher Sell, 'CIA-Geheimgefängnis in Bukarest Enttarnt', Panorama, ARD, 8 December 2011, <http://daserste.ndr.de/panorama/archiv/2011/ciagefaengnis101.html>; Associated Press, "'Bright Light": Inside Secret CIA Prison in Romania', <http://hosted.ap.org/interactives/2011/cia-romania/>.
28. Seimas Committee on National Security and Defence (CNSD), *Findings of the Parliamentary Investigation by the Seimas Committee on National Security and Defence Concerning the Alleged Transportation and Confinement of Persons Detained by the Central Intelligence Agency of the United States of America in the Territory of the Republic of Lithuania*, Annex to the Resolution of the Seimas of the Republic of Lithuania, 22 December 2009, [http://www.therenditionproject.org.uk/documents/RDI/091222-CNSD-Findings\\_Rendition\\_and\\_-\\_Detention\\_in\\_Lithuania.pdf](http://www.therenditionproject.org.uk/documents/RDI/091222-CNSD-Findings_Rendition_and_-_Detention_in_Lithuania.pdf). See, also, Cole and Ross, 'CIA Prison at Riding Academy'.
29. Cole and Ross, 'CIA Prison at Riding Academy'. The detention function of the site was confirmed by the CNSD inquiry, *Findings of the Parliamentary Investigation*, 6–7, and by a delegation from the Council of Europe's Committee for the Prevention of Torture (CPT), *Report to the Lithuanian Government on the Visit to Lithuania from 14 to 18 June 2010*, 19 May 2011, [http://www.therenditionproject.org.uk/documents/RDI/110519-CoE-Report\\_to\\_Lithuanian\\_Govt.pdf](http://www.therenditionproject.org.uk/documents/RDI/110519-CoE-Report_to_Lithuanian_Govt.pdf).
30. JohnHR and Mazzetti, 'A Window'.
31. ECtHR, *Judgment: Husayn (Abu Zubaydah) v. Poland*, para. 297. See, also, Matthew Day, 'CIA "Ordered Cage to Hold Prisoners in Poland"', *The Telegraph*, 20 June 2012; CNSD, *Findings of the Parliamentary Investigation*, 6–7.
32. See, for example, the testimony of the three Yemenis interviewed by Amnesty International during 2005. Amnesty International, *United States of America/Yemen: Secret Detention in CIA 'Black Sites'*, AI Index AMR 51/177/2005, 8 November 2005, [http://www.therenditionproject.org.uk/documents/RDI/051108-AI-CIA\\_Black\\_Sites.pdf](http://www.therenditionproject.org.uk/documents/RDI/051108-AI-CIA_Black_Sites.pdf).
33. See, for example, Grey, 'US Accused of "Torture Flights"'; Amnesty International, *Below the Radar*, 27.
34. PACE, *Alleged Secret Detentions*, para. 44.
35. Such registration numbers are displayed on the tail of the aircraft, and thus are often referred to as its 'tail number'. As will be seen below, some of the rendition aircraft were re-registered with new tail numbers to hide their tracks. Thus, one aircraft can in fact have more than one tail number over time.
36. These data were compiled by the rapporteur into a database, which allowed him to 'make a significant step towards a better comprehension of the system of "renditions" and secret detention centres'. PACE, *Alleged Secret Detentions*, paras 44–9.
37. Center for Human Rights and Global Justice, *Data String Analysis*, 1–2.
38. European Parliament, Temporary Committee on the Alleged Use of European Countries by the CIA for the Transport and Illegal Detention of Prisoners (EP), *Working Document No. 8: On the Companies Linked to the CIA, Aircraft Used by the CIA and the European Countries in which CIA Aircraft have made Stopovers*, 16 November 2006, 6–7, [http://www.therenditionproject.org.uk/documents/RDI/061116-EP-Working\\_Document\\_No\\_8.pdf](http://www.therenditionproject.org.uk/documents/RDI/061116-EP-Working_Document_No_8.pdf).



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39. Given the re-registration of some aircraft to cover tracks, as discussed below, the 39 tail numbers investigated actually refer to 34 individual aircraft.
  40. See, for example, OSJI and HFHR, *Explanation of Rendition Flight Records Released by the Polish Air Navigation Services Agency*, 22 February 2010, [http://www.therenditionproject.org.uk/documents/RDI/100222-OSJI-HFHR-Poland\\_FOI\\_Flight\\_Data\\_Explanation.pdf](http://www.therenditionproject.org.uk/documents/RDI/100222-OSJI-HFHR-Poland_FOI_Flight_Data_Explanation.pdf); PANSA, Letter to HFHR, 31 March 2010, [http://www.therenditionproject.org.uk/documents/RDI/100331-PANSA-Poland\\_FOI\\_Flight\\_Data\\_Letter.pdf](http://www.therenditionproject.org.uk/documents/RDI/100331-PANSA-Poland_FOI_Flight_Data_Letter.pdf); PANSA, Letter to HRHR, 2 June 2010, [http://www.therenditionproject.org.uk/documents/RDI/100602-PANSA-Poland\\_FOI\\_Flight\\_Data\\_Letter.pdf](http://www.therenditionproject.org.uk/documents/RDI/100602-PANSA-Poland_FOI_Flight_Data_Letter.pdf); Border Guard Office, Letter to HFHR, 23 July 2010, [http://www.therenditionproject.org.uk/documents/RDI/100723-BGO-Poland\\_FOI\\_Flight\\_Data\\_Letter.pdf](http://www.therenditionproject.org.uk/documents/RDI/100723-BGO-Poland_FOI_Flight_Data_Letter.pdf).
  41. For discussion of these companies, see The Rendition Project, 'The Companies', <http://www.therenditionproject.org.uk/flights/companies/index.html>.
  42. Scott Shane, Stephen Grey and Margot Williams, 'CIA Expanding Terror Battle Under Guise of Charter Flights', *New York Times*, 31 May 2005; EP, *Working Document No. 8*, 2–6; Deborah M. Weissman, *The North Carolina Connection to Extraordinary Rendition and Torture*, University of North Carolina School of Law, January 2012, [http://www.therenditionproject.org.uk/documents/RDI/120100-UNC-North\\_Carolina\\_Connection.pdf](http://www.therenditionproject.org.uk/documents/RDI/120100-UNC-North_Carolina_Connection.pdf).
  43. Thus, plans were filed with the designations DEPARTMENT OF STATE SUPPORT, STS/STATE, or STS/ATFM EXEMPT APPROVED. For discussion of the force of these designations, see Center for Human Rights and Global Justice, *Data String Analysis*, 3. It appears that this tactic was adopted specifically by aircraft owned by the CIA, as opposed to those hired pursuant to the contracts discussed below.
  44. An exception to this gap was the excellent work uncovering the Aero Contractors network. See, for example, Weissman, *North Carolina Connection*.
  45. Although for some early reporting on aspects of this, see Seth Hettena, 'Navy Office Contracted Planes Used in CIA Missions', *Associated Press*, 24 September 2005.
  46. The prime contract is referred to throughout the documentation, although the text of this remains classified.
  47. Crofton Black, *Declaration: Mohammed Abdullah Saleh al-Asad v. Djibouti*, African Commission for Human and Peoples' Rights, 54th Ordinary Session, October–November 2013, Communication No. 383/2010, paras 10–15, [http://www.reprive.org.uk/wp-content/uploads/2015/04/2014\\_05\\_02\\_PUB\\_Djibouti\\_Renditions\\_-\\_Documents\\_and\\_Declaration.pdf](http://www.reprive.org.uk/wp-content/uploads/2015/04/2014_05_02_PUB_Djibouti_Renditions_-_Documents_and_Declaration.pdf).
  48. Reprive and Access Info Europe, *Rendition on Record: Using the Right of Access to Information to Unveil the Paths of Illegal Prisoner Transfer Flights*, December 2011, [http://www.therenditionproject.org.uk/documents/RDI/111219-RPV-AIE-Rendition\\_on\\_Record.pdf](http://www.therenditionproject.org.uk/documents/RDI/111219-RPV-AIE-Rendition_on_Record.pdf).
  49. Particular thanks are due to H el ene Flautre, Natacha Kazatchkine, Mathias Wuidar and Sophie Chabridon.
  50. 'Circuits' comprise multiple flights by one aircraft from A to B, then B to C, then C to D, and so on, with the aircraft typically returning to A. For access to the database, go to: <http://www.therenditionproject.org.uk/flights/flight-database.html>.
  51. See those marked with \* and † in Appendix A.
  52. Ali H. Soufan, *The Black Banners: The Inside Story of 9/11 and the War Against al-Qaeda* (New York: W.W. Norton and Company, 2011), 375; Goldman, 'The Hidden History'.
  53. The false flight plan was filed by the trip planner Universal Weather and Aviation, Inc. (identifier 'UVAO'). Documents released by the Polish Border Guard Office, however, show that N63MU landed at Szymany on 5 December 2002, carrying eight passengers and four crew. Border Guard Office, Letter to HFHR.
  54. United Nations Human Rights Council, *Joint Study*, para. 116.
  55. ECtHR, *Application: Zayn al-Abidin Muhammad Husayn (ABU ZUBAYDAH) v. the Republic of Poland*, 26 March 2013, paras 58–71, [http://www.therenditionproject.org.uk/documents/RDI/130326-ECHR-Application\\_Zubaydah\\_v\\_Poland.pdf](http://www.therenditionproject.org.uk/documents/RDI/130326-ECHR-Application_Zubaydah_v_Poland.pdf).
  56. Goldman, 'The Hidden History'.
  57. Matt Apuzzo and Adam Goldman, 'AP Exclusive: CIA Flight Carried Secret from Gitmo', *Associated Press*, 7 August 2010.

58. For a full analysis of this rendition circuit, see The Rendition Project, 'Rendition Circuit: 20–25 September 2003', <http://www.therenditionproject.org.uk/flights/renditions/N313P-030920.html>. See, also, Center for Human Rights and Global Justice, *Data String Analysis*, 6–8.
59. Thomas Hammarberg, *Advancing Accountability in Respect of the CIA Black Site in Romania*, memorandum, Council of Europe, 30 March 2012, 5.
60. An additional circuit in October 2003 by N379P links Romania with Jordan, Afghanistan and Iraq, and may have taken prisoners back out of Europe at that stage.
61. Cole, 'Lithuanian President Announces Investigation'.
62. For more on these flights, see Amnesty International, *Unlock the Truth in Lithuania*, September 2011, 22–4.
63. Cole, 'Lithuania Hosted Secret CIA Prison'.
64. Reprieve, *CSC Lithuania Flights Dossier*, 7 September 2012, A2, A11, <http://www.reprieve.org.uk/cscs-covert-flights-through-lithuania/>.
65. CNSD, *Findings of the Parliamentary Investigation*, 5.
66. The original evidence concerning the specific facts in this paragraph is collated at Reprieve, *Flights Dossier*.
67. See, for example, PACE, *Alleged Secret Detentions*, para. 43.
68. See, for example, Human Rights Watch, 'Statement on US Secret Detention Facilities'.
69. Reprieve, *Flights Dossier*.
70. See the various detainee accounts compiled by The Rendition Project. Available at: [www.therenditionproject.org.uk/prisoners/index.html](http://www.therenditionproject.org.uk/prisoners/index.html)
71. ICRC, *Report on 'High Value Detainees'*. This report was marked as confidential, but subsequently leaked to the *New York Times*.
72. See, for example, OIG, *Special Review*; Bradbury, *Application of United States Obligations*; Jay S. Bybee, Assistant Attorney General, memorandum for John Rizzo, Acting General Counsel, Central Intelligence Agency, *Interrogation of al Qaeda Operative*, 1 August 2002, [http://www.therenditionproject.org.uk/documents/RDI/020801-DoJ-Interrogation\\_of\\_al\\_Qaeda\\_Operative.pdf](http://www.therenditionproject.org.uk/documents/RDI/020801-DoJ-Interrogation_of_al_Qaeda_Operative.pdf); Steven G. Bradbury, Acting Assistant Attorney General, Office of Legal Counsel, Department of Justice, memorandum for John A. Rizzo, Acting General Counsel, Central Intelligence Agency, *Re: Application of the Detainee Treatment Act to Conditions of Confinement at Central Intelligence Agency Detention Facilities*, 31 August 2006, [http://www.therenditionproject.org.uk/documents/RDI/060831-DoJ-Application\\_of\\_DTA\\_to\\_CIA\\_Prisons.pdf](http://www.therenditionproject.org.uk/documents/RDI/060831-DoJ-Application_of_DTA_to_CIA_Prisons.pdf).
73. Of particular note in this regard has been the pioneering work of Adam Goldman, whose work for the *Associated Press* unearthed basic details regarding the detentions of some of the high value detainees (HVDs). See, for example, Adam Goldman, 'Secret Jails: Terror Suspect's Odyssey Through CIA's "Black Sites"', *Associated Press*, 2010, <http://hosted.ap.org/specials/interactives/wdc/binalshibh/content.swf>.
74. SSCI, *Committee Study*, 401–4.
75. *Ibid.*, 67.
76. OIG, *Special Review*, para. 76; Office of Professional Responsibility, Department of Justice, *Report: Investigation into the Office of Legal Counsel's Memoranda Concerning Issues Relating to the Central Intelligence Agency's Use of "Enhanced Interrogation Techniques" on Suspected Terrorists*, 29 July 2009, 85, [http://www.therenditionproject.org.uk/documents/RDI/090729-DoJ-Investigation\\_CIA\\_EITs.pdf](http://www.therenditionproject.org.uk/documents/RDI/090729-DoJ-Investigation_CIA_EITs.pdf).
77. SSCI, *Committee Study*, 76.
78. *Ibid.*, 75. On CIA comments regarding Morocco, see Goldman, 'Secret Jails'. On matching flight data, showing that N379P flew from Afghanistan to Morocco on 17 September 2002, see <http://www.therenditionproject.org.uk/flights/renditions/N379P-020911.html>.
79. SSCI, *Committee Study*, 78.
80. *Ibid.*, 84.
81. Mohammed thought he was in Poland due to being passed a water bottle with a .pl email address on the label. Likewise, Bin Attash's testimony correlates closely with the 5 June flight by N379P from Kabul to Szymany. ICRC, *Report on 'High Value Detainees'*, 32, 34–5.
82. For example, the rendition of Abu Faraj al-Libi to Romania in May 2005, confirmed by our flight data, is discussed in the SSCI report, where the destination is listed as DETENTION

- SITE BLACK. SSCI, *Committee Study*, 147. For an analysis of evidence demonstrating that Lithuania was DETENTION SITE VIOLET, see [http://www.reprive.org.uk/wp-content/uploads/2015/01/2015\\_01\\_11\\_PUB-Briefing-for-Prosecutor-CIA-Detention-in-Lithuania.docx](http://www.reprive.org.uk/wp-content/uploads/2015/01/2015_01_11_PUB-Briefing-for-Prosecutor-CIA-Detention-in-Lithuania.docx) and [http://www.reprive.org.uk/wp-content/uploads/2015/01/2015\\_01\\_07\\_PUB-Lithuania-evidence-dossier-PUBLIC.pdf](http://www.reprive.org.uk/wp-content/uploads/2015/01/2015_01_07_PUB-Lithuania-evidence-dossier-PUBLIC.pdf).
83. Hammarberg, *Advancing Accountability*; Apuzzo and Goldman, 'CIA Flight Carried Secret'; Goldman, 'Secret Jails'; SSCI, *Committee Study*, 141.
  84. Hammarberg, *Advancing Accountability*, 15.
  85. For a combination of sources which point to all of these movements, see Apuzzo and Goldman, 'CIA Flight Carried Secret'; Goldman, 'Secret Jails'; Hammarberg, *Advancing Accountability*, 14; ECtHR, *Application: Abu Zubaydah v. Poland*.
  86. SSCI, *Committee Study*, 68–70. See, also, OIG, *Special Review*, paras 92–8.
  87. OIG, *Special Review*, para. 97.
  88. For an official discussion of authorised interrogation techniques, including the so-called 'enhanced interrogation techniques' (EITs), see, Bybee, *Interrogation of al Qaeda Operative*.
  89. See accounts provided to the ICRC by Khalid Sheikh Mohammed, Ramzi bin al-Shibh and Walid bin Attash. ICRC, *Report on 'High Value Detainees'*.
  90. ICRC, *Report on 'High Value Detainees'*, 33.
  91. OIG, *Special Review*, paras 99–100 and 225; SSCI, *Committee Study*, 85–93.
  92. ICRC, *Report on 'High Value Detainees'*, 36.
  93. SSCI, *Committee Study*, 132–3.
  94. *Ibid.*, 136–7.
  95. See, for example, Letter from [redacted] to Steven Bradbury, *Re: Requests for Information on Security Measures*, 18 May 2006; Bradbury, *Application of the Prisoner Treatment Act*, Part I. A, 2.
  96. Bradbury, *Application of the Prisoner Treatment Act*, Part C, 25.
  97. ECtHR, *Judgment: Case of el-Masri v. The Former Yugoslav Republic of Macedonia* (Application No. 39630/09), Strasbourg, 13 December 2012, paras 156–65, [http://www.therenditionproject.org.uk/documents/RDI/121213-ECHR-Judgment\\_el-Masri\\_v\\_Macedonia.pdf](http://www.therenditionproject.org.uk/documents/RDI/121213-ECHR-Judgment_el-Masri_v_Macedonia.pdf).
  98. ECtHR, *Judgment: al-Nashiri v. Poland*, paras 405–15; *Judgment: Husayn (Abu Zubaydah) v. Poland*, paras 405–15.
  99. See, for example, ECtHR, *Application: al-Nashiri v. Romania*, 33234/12, 2 August 2012, [http://www.therenditionproject.org.uk/documents/RDI/120802-ECHR-Application\\_al-Nashiri\\_v\\_Romania.pdf](http://www.therenditionproject.org.uk/documents/RDI/120802-ECHR-Application_al-Nashiri_v_Romania.pdf); *Application: Zayn al-Abidin Muhammad Husayn (ABU ZUBAYDAH) v. The Republic of Lithuania*, 46454/11, 14 July 2011, [http://www.therenditionproject.org.uk/documents/RDI/110714-ECHR-Application\\_Zubaydah\\_v\\_Lithuania.pdf](http://www.therenditionproject.org.uk/documents/RDI/110714-ECHR-Application_Zubaydah_v_Lithuania.pdf); REDRESS and Human Rights Monitoring Institute, *Joint Complaint to Lithuanian Prosecutor General Regarding Mustafa al-Hawsawi's Rendition, Secret Detention and Torture in Lithuania*, 13 September 2013, [http://www.therenditionproject.org.uk/documents/RDI/130913-RDRS-HRMI-Joint\\_Complaint\\_to\\_Lithuanian\\_Prosecutor\\_General\\_Hawsawi.pdf](http://www.therenditionproject.org.uk/documents/RDI/130913-RDRS-HRMI-Joint_Complaint_to_Lithuanian_Prosecutor_General_Hawsawi.pdf).
  100. See, for example, evidence introduced to court in *Richmor Aviation, Inc. v. Sportsflight Air, Inc.*, 918 N.Y.S.2d 806 (2011).
  101. *Mohammed et al. v. Jeppesen Dataplan, Inc.* United States District Court, District of Northern California, Civil Action No. 5:07-cv-02798, 1 August 2007.
  102. *Mohammed Abdullah Saleh al-Asad v. Djibouti*, African Commission for Human and Peoples' Rights, 54th Ordinary Session, October–November 2013, Communication No. 383/2010.
  103. Leigh Day and Co., *Mr Mohammed Saad Iqbal Madni: Pre-Action Protocol Letter Before Claim*, 13 July 2009, [http://www.therenditionproject.org.uk/documents/RDI/090713-LD-Madni\\_Pre-Action\\_Letter.pdf](http://www.therenditionproject.org.uk/documents/RDI/090713-LD-Madni_Pre-Action_Letter.pdf).
  104. 'Ombudsman finds nothing reprehensible about the actions of the authorities as regards rendition flights', 30 April 2014, <http://www.oikeusasiamies.fi/Resource.phx/pubman/templates/5.htx?id=1046>; Amnesty International, 'Finland: CIA Rendition Probe Findings "Disappointing"', 29 April 2014, <http://www.amnesty.org/en/news/finland-cia-rendition-probe-findings-disappointing-2014-04-29>; The Rendition Project flight data files, <http://www.therenditionproject.org.uk/documents/flights-govt-inquiries.html>.
  105. 'Rendition Flights Claim to be Investigated by Police Scotland', BBC News, 5 June 2013; La Fiscalía pedirá la detención de los tripulantes de un vuelo secreto de la CIA con escala en

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106. See, for example, the continued refusal by the UK government to release flight records which may show that Abdul-Hakim Belhadj and Fatima Bouchar were rendered through Diego Garcia, and thus impact upon the ongoing case *Belhadj & Anor v. Straw & Ors*, [2014] EWCA Civ 1394, Case No. A2/2014/0596. See: Foreign and Commonwealth Office, Letter to Sam Raphael, 24 February 2015, [http://www.therenditionproject.org.uk/documents/RDI/150224-FCO-FOI\\_Refusal\\_Letter\\_\(DG\\_Flt\\_Data\\_Mar\\_04\).pdf](http://www.therenditionproject.org.uk/documents/RDI/150224-FCO-FOI_Refusal_Letter_(DG_Flt_Data_Mar_04).pdf).

## Appendix A

### Table notes

- Dates in all tables refer here to circuit dates (from the date the aircraft first left its home base in the US to the date that it landed back at the same airport).
- Circuits marked with \* are those which were known before 2010, but where our discoveries have provided crucial details.
- Circuits marked with † are those which have been fully identified as a result of our work.
- Circuits marked with # are combined circuits, involving two aircraft meeting at a third country in order to disguise the connection between black sites.
- The four-letter codes in [square brackets] next to each location refer to the unique airport identifier, as laid down by the International Civil Aviation Organisation (ICAO).
- Some of the flight data for flights into and out of Romania list alternative airports for one leg of the circuit. In many cases, these discrepancies are likely to be dummy flight plans.
- For further details on each of these circuits, including maps, precise movements and timings for each leg of the circuit, and invoicing documentation, see the individual circuit analyses accessed via <http://www.therenditionproject.org.uk/flights/renditions/index.html>.
- For more details of the aircraft connecting European black sites, laid out in Table 1, see <http://www.therenditionproject.org.uk/flights/aircraft/index.html>.

Table 1. Rendition aircraft connecting European black sites

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- **N1HC.** Gulfstream IV.
  - **N248AB.** Gulfstream IV.
  - **N288KA.** Gulfstream III.
  - **N308AB.** Gulfstream IV.
  - **N313P.** Boeing 737.
  - **N379P.** Gulfstream V.
  - **N63MU.** Gulfstream IV.
  - **N724CL.** Boeing 727.
  - **N733MA.** Boeing 737.
  - **N740EH.** Boeing 737.
  - **N787WH.** Boeing 737.
  - **N789DK.** Gulfstream III.
  - **N85VM.** Gulfstream IV.
  - **N860JB.** Gulfstream IV.
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Table 2. Flights into Poland

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- 3–6 December 2002, N63MU: **Bangkok, Thailand** [VTBD] to **Szymany, Poland** [EPSY], via **Dubai** [OMDM]\*
  - 6–13 February 2003, N379P: **Rabat, Morocco** [GMME] to **Szymany, Poland** [EPSY].
  - 1–9 March 2003, N379P: **Kabul, Afghanistan** [OAKB] to **Szymany, Poland** [EPSY].
  - 23–28 March 2003, N379P: **Kabul, Afghanistan** [OAKB] to **Szymany, Poland** [EPSY].
  - 3–7 June 2003, N379P: **Kabul, Afghanistan** [OAKB] to **Szymany, Poland** [EPSY].
  - 27 July–1 August 2003, N379P: **Kabul, Afghanistan** [OAKB] to **Szymany, Poland** [EPSY].
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Table 3. Flights out of Poland

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- 3–7 June 2003, N379P: **Szymany, Poland** [EPSY] to **Rabat, Morocco** [GMME].
  - 27 July–1 August 2003, N379P: **Szymany, Poland** [EPSY] to **Kabul, Afghanistan** [OAKB].
  - 20–25 September 2003, N313P: **Szymany, Poland** [EPSY] to **Bucharest, Romania** [LRBS], **Rabat, Morocco** [GMME] and **Guantánamo Bay** [MUGM].
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Table 4. Flights into Romania

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- 20–25 September 2003, N313P: **Szymany, Poland** [EPSY] to **Bucharest, Romania** [LRBS].
  - 15–28 January 2004, N313P: **Kabul, Afghanistan** [OAKB] to **Bucharest, Romania** [LRBS].
  - 25–28 January 2004, N85VM: **Amman, Jordan** [OJAM] to **Bucharest, Romania** [LRBS].\*
  - 11–13 April 2004, N85VM: **Guantánamo Bay, Cuba** [MUGM] to **Bucharest, Romania** [LRBS], via **Tenerife** [GCXO].\*
  - 29 July–2 August 2004, N288KA: **Kabul, Afghanistan** [OAKB] to **Bucharest, Romania** [LRBS], via **Amman, Jordan** [OJAM].†
  - 29 September–3 October 2004, N85VM: **Rabat, Morocco** [GMME] to **Bucharest, Romania** [LRBS], via **Amman, Jordan** [OJAM].\*
  - 14–20 February 2005, N787WH: **Rabat, Morocco** [GMME] to **Bucharest, Romania** [LRBS].†
  - 23–28 May 2005, N450DR and N308AB: **Kabul, Afghanistan** [OAKB] to **Bucharest, Romania** [LRBS], via a plane switch in **Amman, Jordan** [OJAM].†#
  - 18–22 August 2005, N860JB: **Sharm el-Sheikh, Egypt** [HESH] and **Kabul, Afghanistan** [OAKB] to **Bucharest, Romania** [LRBS].†
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Table 5. Flights out of Romania

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- 24–30 October 2003, N379P: **Bucharest, Romania** [LRBS] to **Amman, Jordan** [OJAM], **Kabul, Afghanistan** [OAKB] and **Baghdad, Iraq** [ORBI].
  - 23–28 August 2004, N308AB: **Bucharest, Romania** [LRBS] to **Rabat, Morocco** [GMME], **Kabul, Afghanistan** [OAKB], **Amman, Jordan** [OJAM], and **Algiers, Algeria** [DAAG].†
  - 17–22 October 2004, N789DK: **Bucharest, Romania** [LRBS] to **Amman, Jordan** [OJAM] and **Kabul, Afghanistan** [OAKB].†
  - 14–20 February 2005, N787WH: **Bucharest, Romania** [LRBS] to **Palanga, Lithuania** [EYPA].†
  - 25–29 July 2005, N308AB: **Bucharest, Romania** [LRBS] to **Cairo, Egypt** [HECA].†
  - 1–8 October 2005, N308AB and N787WH: **Bucharest, Romania** [LRBS] to **Vilnius, Lithuania** [EYVI], via a plane switch in **Tirana, Albania** [LATI].†#
  - 4–7 November 2005, N1HC and N248AB: **Bucharest, Romania** [LRBS] to **Kabul, Afghanistan** [OAKB], via a plane switch in **Amman, Jordan** [OJAM].†#
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Table 6. Flights into Lithuania

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- 16–17 February 2005, N724CL: **Rabat, Morocco** [GMME] to **Vilnius, Lithuania** [EYVI], via **Amman, Jordan** [OJAM].†
  - 14–20 February 2005, N787WH: **Rabat, Morocco** [GMME] to **Palanga, Lithuania** [EYPA], via **Bucharest, Romania** [LRBS].†
  - 1–8 October 2005, N308AB and N787WH: **Bucharest, Romania** [LRBS] to **Vilnius, Lithuania** [EYVI], via a plane switch in **Tirana, Albania** [LATI].†#
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Table 7. Flight out of Lithuania

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- 23–28 March 2006, N733MA and N740EH: **Palanga, Lithuania** [EYPA] to **Kabul, Afghanistan** [OAKB], via a plane switch in **Cairo, Egypt** [HECA].†#
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