



HOUSE OF COMMONS

LONDON SW1A 0AA

Rt Hon David Cameron MP
Prime Minister
10 Downing Street
London
SW1A 2AA

28 March 2011

Dear David,

Re: Detainee Inquiry

I would be grateful for confirmation that the Detainee Inquiry will be able to address all detainee transfers in theatre in Iraq and Afghanistan, including those post-2003.

The pre-2004 transfers are unambiguously within Sir Peter Gibson's remit, but not necessarily the post-2003 transfers. In your letter to Sir Peter you asked him to examine whether "*the UK... [was] involved in improper treatment of detainees held by other countries in counter-terrorism operations overseas...*" This must include detainee transfers. In the House you also specifically confirmed to me that it did.ⁱ However, your letter to Sir Peter of 6 July 2010 stated that "*military detention operations in Iraq and Afghanistan post-2003 are being addressed by separate arrangements made by the [MOD]*". While this clarifies the position of the pre-2004 transfers it leaves open the post-2003 transfers.

Sir Peter and his team will have to engage fully with the MOD for the pre-2004 work, so it makes sense for the inquiry also to address the post-2003 period. The inquiry's ability both to make policy recommendations and to consider the "*evolution of the Government's response to... changing practices of other countries towards detainees*" would be impaired by an arbitrary cut off.ⁱⁱ The 'separate arrangements', made by the MOD to examine the situation post-2003, appear inadequate.ⁱⁱⁱ Given that rendition will be at the heart of the inquiry, and that we know UK forces were involved in rendition to some extent post-2003^{iv},

