



HOUSE OF COMMONS

LONDON SW1A 0AA

Rt. Hon. David Miliband MP
Secretary of State for Foreign and Commonwealth Affairs
Foreign and Commonwealth Office
King Charles Street
London
SW1A 2AH

17 March 2008

Dear David,

I am writing to you in my role as Chairman of the All Party Parliamentary Group on Extraordinary Rendition, to make a request for a number of documents under the Freedom of Information Act.

I realise this will be a lot of work for officials in your Department, and am very happy to be contacted to clarify specific requests, or to discuss how best the information requested could be provided. I am also aware that the high number of these requests may result in the cost limit for applications under the Freedom of Information Act being exceeded. In this event, I would also be grateful if I could be contacted and allowed to prioritise the requests for information, which are set out below:

Diego Garcia

1. The minutes of the 2006 US/UK Political Military Talks held in London on 17 and 18 October¹.
2. Any other documentary information of assurances given by the US that "no detainees, prisoners of war or any other persons in this

¹ Source: Written Answer 26 October 2006,
<http://www.publications.parliament.uk/pa/cm200506/cmhansrd/vo061026/text/61026w0014.htm#0610272000007>

category are being held on Diego Garcia, or have at any time passed in transit through Diego Garcia or its territorial waters or airspace².

3. All information relating to any agreements entered into between the US and the UK, or requests made by the US, for holding prisoners on, or transporting them through, the British Indian Ocean Territory.
4. All information relating to the 13 September 2002 landing of the aircraft with serial number N379P at Diego Garcia³, including passenger lists, the purpose of the flight, and permissions granted by the UK or sought by the US in relation to this flight.

Bisher al-Rawi and Jamil el-Banna

5. All information and communications received from the Gambian authorities, including such information and communications received via the US authorities, regarding Bisher al-Rawi and Jamil el-Banna, between 1 November 2002 and 31 December 2002⁴.
6. All information and records of communications between US and UK officials regarding the 'operation' cited in the Loose Minute of 6 November 2002, Subject: Baggage search of Abu ANAS⁵.
7. All information and records of communications between US and UK officials regarding Bisher al-Rawi and Jamil el-Banna, on 8 November 2002⁶.
8. All information and records of communications between US and UK officials regarding Bisher al-Rawi and Jamil el-Banna, from 9 November 2002 to 6 December 2002, including records of the telephone conversation referred to in the 6 December 2002 telegram

² Sources: Written Answer 26 October 2006, <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/vo061026/text/61026w0014.htm#0610272000007>; Written Answer 11 October 2007, <http://www.publications.parliament.uk/pa/cm200607/cmhansrd/cm071011/text/71011w0006.htm#0710113300006>

³ Source: Flight logs obtained by Reprieve.

⁴ Source: Out-Telegram to US authorities dated 4 November 2002, 'Travellers to Gambia', referred to in the Intelligence and Security Committee Report into Rendition, July 2007, paras 120 & 121.

⁵ Source: Loose Minute dated 6 November 2002, 'Baggage search of Abu ANAS; 1 November 2002'

⁶ Source: Out-Telegram to US authorities dated 8 November 2002, 'Individuals Travelling to Gambia', referred to in the Intelligence and Security Committee Report into Rendition, July 2007, para 126.

'Islamists in Detention in the Gambia', which confirmed that the UK would not seek to extend consular protection to non-British nationals⁷.

9. All information referring to the threat posed by Bisher al-Rawi and Jamil el-Banna, prior to their detention in the Gambia.
10. All information relating to the work allegedly carried out for the intelligence services by Bisher al-Rawi.
11. All information relating to the location of Abu Qatada during the time that Bisher al-Rawi was allegedly cooperating with UK intelligence services.
12. All information relating to any prior knowledge of the existence and/or purpose of the modified battery charger that was discovered during the detention of Bisher al-Rawi at Gatwick airport, and noted in the telegrams of 1 November 2002 and 11 November⁸.
13. All information relating to the decision to detain the group including Bisher al-Rawi and Jamil el-Banna at Gatwick airport on 1 November 2002.
14. All information relating to any visits made by intelligence or Foreign Office officials to Bisher al-Rawi or Jamil el-Banna during the time they were held in US detention.
15. All information received about the progress of the US investigation into Bisher al-Rawi and Jamil el-Banna's activities during their time in US custody⁹.
16. All information received regarding the intention of the US authorities to render Bisher al-Rawi and Jamil el-Banna to Bagram Airbase, Afghanistan, prior to their subsequent rendition¹⁰.

⁷ Source: Out-Telegram to US authorities dated 6 December 2002, 'Islamists in Detention in the Gambia', referred to in the Intelligence and Security Committee Report into Rendition, July 2007, para 135.

⁸ Source: Intelligence and Security Committee Report into Rendition, July 2007, para 118; Intelligence and Security Committee Report into Rendition, July 2007, para 130.

⁹ Source: Intelligence and Security Committee Report into Rendition, July 2007, para 131.

¹⁰ Source: Intelligence and Security Committee Report into Rendition, July 2007, para 132.

17. All information relating to the 'matters' that enabled Jack Straw to approach the US authorities on Bisher al-Rawi's behalf¹¹.

Binyam Mohamed al-Habashi

18. All information relating to any visits by UK intelligence officers to British resident Binyam Mohamed al-Habashi while he was being held in Karachi in 2002.
19. All information relating to any intelligence passed from UK authorities to Moroccan authorities, during the detention of Binyam Mohamed al-Habashi in Morocco between 2002 and 2004.

The Intelligence and Security Committee Report into Rendition

20. All information relating to the formal briefing of the UK intelligence services by the US in 1997 on their strategy of rendering terrorists to justice, and the subsequent briefing of policy departments across Whitehall of the existence of the programme¹².
21. All information relating to the granting of approval to, or requests for approval from, the UK intelligence services to provide assistance to the US rendition programme¹³.
22. The report sent by SIS across Whitehall about the US intention to use military tribunals to try terrorist suspects captured outside Afghanistan¹⁴.

US Interrogation Practices

23. All information received as a direct result of the US interrogation of Khalid Sheikh Mohammed.

¹¹ Source: Intelligence and Security Committee Report into Rendition, July 2007, para 147.

¹² Source: Intelligence and Security Committee Report into Rendition, July 2007, para 36.

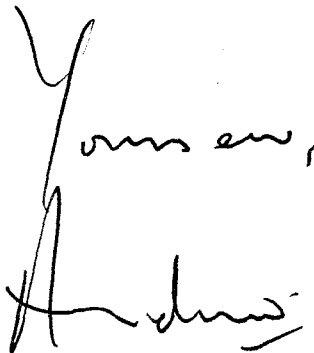
¹³ Source: Intelligence and Security Committee Report into Rendition, July 2007, para 39.

¹⁴ Source: Intelligence and Security Committee Report into Rendition, July 2007, para 54.

24. All information received as a direct result of the US interrogation of Abu Zubaydah.
25. All information received as a direct result of the US interrogation of Abd al-Rahim al-Nashiri.
26. All information received from US authorities concerning the so-called 'Heathrow airport plot' in February 2003, including the source of the information received¹⁵.
27. All information received from US authorities concerning the so-called 'Chemical bomb plot' in April 2004, including the source of the information received¹⁶.
28. All information received from US authorities concerning the alleged foiled attack on Canary Wharf in November 2004, including the source of any information received¹⁷.

As you know, I applied for the minutes of the 2007 US/UK Political Military Talks held in Washington on 11 and 13 September, late last year. I am still awaiting the outcome of my appeal against the initial refusal to release this document.

I am placing this letter in the public domain.

A handwritten signature in black ink, appearing to read 'Andrew Tyrie', with a stylized 'Y' at the top.

ANDREW TYRIE

¹⁵ BBC News, 17 February 2003, <http://news.bbc.co.uk/1/hi/uk/2747677.stm>

¹⁶ BBC News, 6 April 2004, <http://news.bbc.co.uk/1/hi/uk/3603961.stm>

¹⁷ Independent on Sunday, 28 November 2004, <http://www.independent.co.uk/news/uk/crime/focus-the-tower-at-canary-wharf-was-it-the-target-of-an-alqaida-plot-or-a-cynical-exercise-in-fearmongering-534851.html>