



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

30 January 2009

Dear David,

Re: Renditions in East Africa

As you will be aware, a BBC report late last year raised allegations that British officials had questioned people who had been unlawfully rendered to Ethiopia.¹ I would be grateful if you could provide me with as much information as possible on these allegations, including any action the Foreign and Commonwealth Office has taken to determine their veracity.

The report alleged that these individuals did not have access to a lawyer, and that some were mistreated while in Ethiopian detention. Written Answers to Parliamentary Questions I have asked on this issue have not reassured me:

Mr. Tyrie: To ask the Secretary of State for Foreign and Commonwealth Affairs with reference to the answer of 26 November 2008, *Official Report*, column 1772W, whether the individuals to whom British officials spoke had access to a lawyer; whether any of them alleged mistreatment during their discussions with British officials; and whether any of them had been transferred to Ethiopia from Kenya or Somalia. [243469]

Bill Rammell: We have made clear that we are not aware that these individuals' detention was unlawful, but we are unable to go into further details relating to confidential exchanges on counter-terrorist issues with our Ethiopian partners. It is, however, standard practice for our officials to note the well-being of those interviewed. None of these particular detainees complained of any physical mistreatment.

This Answer does not address whether the detainees had been transferred from Kenya or Somalia, and does not address whether or not the detainees had

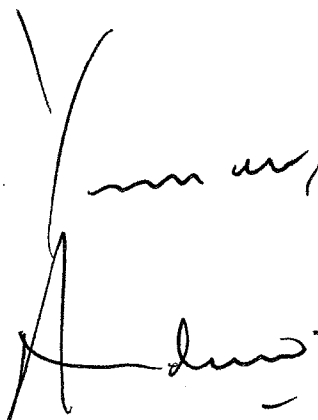
¹ BBC Today Programme, 14 October 2008, available at http://news.bbc.co.uk/today/hi/today/newsid_7668000/7668683.stm

access to a lawyer. The Ethiopian Minister for Foreign Affairs himself was apparently unable to confirm whether or not detainees transferred to his country from Kenya and Somali had had access to a lawyer. It also does not fully address the issue of detainee mistreatment. What steps were taken by the UK Government to ascertain the lawfulness or otherwise of the individuals' transfer and detention; the legal representation available to the detainees; and any mistreatment suffered by the detainees?

Statements made by former and current detainees met by British officials allege that it was obvious they were being held outside any legal process, and that in some cases reference was made to the lack of legal protections in the presence of British officials. Some detainees who say they met British officials, alleged mistreatment – including beatings – during their detention.

The High Court case involving Binyam Mohamed, and the Home Secretary's subsequent referral of this case to the Attorney General to investigate "possible criminal wrongdoing", has established that 'facilitating' the interrogation of a person held incommunicado and without access to a lawyer has the potential to raise serious issues.

I am putting this letter in the public domain.

A handwritten signature in black ink, appearing to read 'Andrew Tyrie', with a large vertical stroke on the left side.

ANDREW TYRIE

Chairman, All-Party Parliamentary Group on Extraordinary Rendition