

ANDREW TYRIE MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Dr Condoleezza Rice
Secretary of State
c/o UK Embassy
Washington
USA

8th December 2005

Dear Secretary of State

I am writing to you in my capacity as Chairman of the All Party Parliamentary Group on Extraordinary Rendition.

The All Party Parliamentary Group understands Extraordinary Rendition to mean the practice of transferring an individual to a foreign state in circumstances that make it more likely than not that the individual will be subjected to torture or cruel, inhuman, or degrading treatment.

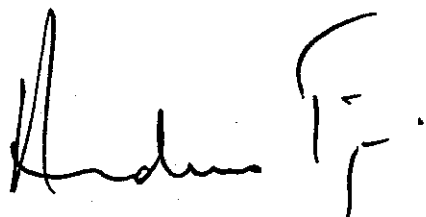
We are deeply concerned about allegations that the United States has carried out extraordinary renditions. We are also concerned about allegations that the UK has provided logistical support to US flights as they transport individuals to and from third countries, such as Egypt, Jordan and Syria.

At the first meeting of the Group we discussed your statement of 5th December concerning extraordinary rendition. There are several important points on which we would be grateful for clarification and wider issues we would like to discuss.

We would very much welcome your response to these concerns and would be delighted if you felt able, if only briefly, to meet us next time you visit the UK.

The meeting could either be with the whole group or, if you prefer, with me and my two vice chairmen, Chris Mullin, former Foreign Office Minister and the Rt Hon Menzies Campbell, the Liberal Democrat spokesman for Foreign Affairs.

Yours sincerely

A handwritten signature in black ink, appearing to read "Andrew Tyrie". The signature is written in a cursive style with a large initial "A" and a distinct "T".

ANDREW TYRIE



United States Department of State

Washington, D.C. 20520

www.state.gov

Rt Hon Andrew Tyrie, MP
House of Commons
London
SW1A 0AA
United Kingdom

Dear Mr. Tyrie,

I have been asked to reply to your December 8 invitation to Secretary Rice. The Secretary is grateful for your invitation, but unfortunately owing to the heavy demands of her schedule will be unable to address the All Party Parliamentary Group. Please pass the Secretary's regrets to the rest of the delegates.

You mention the statements made by Secretary Rice during her trip to the UK earlier this month. Since then, there have been many public statements both by senior representatives of the United States Government, as well as by members of your leadership. I have attached some of those for your reference.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Edwin Nolan".

Edwin Nolan
Deputy Director
Office of United Kingdom,
Belgium, Netherlands, Luxembourg, and Ireland Affairs

U.S. DEPARTMENT OF STATE
Office of the Spokesman

For Immediate Release
2005/1130 (FINAL)

December 5, 2005

REMARKS

Secretary of State Condoleezza Rice
Upon Her Departure for Europe

December 5, 2005
Andrews Air Force Base

(7:15 a.m. EST)

SECRETARY RICE: Good morning. We have received inquiries from the European Union, the Council of Europe, and from several individual countries about media reports concerning U.S. conduct in the war on terror. I am going to respond now to those inquiries, as I depart today for Europe. And this will also essentially form the text of the letter that I will send to Secretary Straw, who wrote on behalf of the European Union as the European Union President.

The United States and many other countries are waging a war against terrorism. For our country this war often takes the form of conventional military operations in places like Afghanistan and Iraq. Sometimes this is a political struggle, a war of ideas. It is a struggle waged also by our law enforcement agencies. Often we engage the enemy through the cooperation of our intelligence services with their foreign counterparts.

We must track down terrorists who seek refuge in areas where governments cannot take effective action, including where the terrorists cannot in practice be reached by the ordinary processes of law. In such places terrorists have planned the killings of thousands of innocents – in New York City or Nairobi, in Bali or London, in Madrid or Beslan, in Casablanca or Istanbul. Just two weeks ago I also visited a hotel ballroom in Amman, viewing the silent, shattered aftermath of one of those attacks.

The United States, and those countries that share the commitment to defend their citizens, will use every lawful weapon to defeat these terrorists. Protecting citizens is the first and oldest duty of any government. Sometimes these efforts are misunderstood. I want to help all of you understand the hard choices involved, and some of the responsibilities that go with them.

One of the difficult issues in this new kind of conflict is what to do with captured individuals who we know or believe to be terrorists. The individuals come from many countries and are often captured far from their original homes. Among them are those who are effectively stateless, owing allegiance only to the extremist cause of transnational terrorism. Many are extremely dangerous. And some have information that may save lives, perhaps even thousands of lives.

The captured terrorists of the 21st century do not fit easily into traditional systems of criminal or military justice, which were designed for different needs. We have to adapt. Other governments are now also facing this challenge.

We consider the captured members of al-Qaida and its affiliates to be unlawful combatants who may be held, in accordance with the law of war, to keep them from killing innocents. We must treat them in accordance with our laws, which reflect the values of the American people. We must question them to gather potentially significant, life-saving, intelligence. We must bring terrorists to justice wherever possible.

For decades, the United States and other countries have used "renditions" to transport terrorist suspects from the country where they were captured to their home country or to other countries where they can be questioned, held, or brought to justice.

In some situations a terrorist suspect can be extradited according to traditional judicial procedures. But there have long been many other cases where, for some reason, the local government cannot detain or prosecute a suspect, and traditional extradition is not a good option. In those cases the local government can make the sovereign choice to cooperate in a rendition. Such renditions are permissible under international law and are consistent with the responsibilities of those governments to protect their citizens.

Rendition is a vital tool in combating transnational terrorism. Its use is not unique to the United States, or to the current administration. Last year, then Director of Central Intelligence George Tenet recalled that our earlier counterterrorism successes included "the rendition of many dozens of terrorists prior to September 11, 2001."

- Ramzi Youssef masterminded the 1993 bombing of the World Trade Center and plotted to blow up airlines over the Pacific Ocean, killing a Japanese airline passenger in a test of one of his bombs. Once tracked down, a rendition brought him to the United States, where he now serves a life sentence.
- One of history's most infamous terrorists, best known as "Carlos the Jackal," had participated in murders in Europe and the Middle East. He was finally captured in Sudan in 1994. A rendition by the French government brought him to justice in France, where he is now imprisoned. Indeed, the European Commission of Human Rights rejected Carlos' claim that his rendition from Sudan was unlawful.

Renditions take terrorists out of action, and save lives.

In conducting such renditions, it is the policy of the United States, and I presume of any other democracies who use this procedure, to comply with its laws and comply with its treaty obligations, including those under the Convention Against Torture. Torture is a term that is defined by law. We rely on our law to govern our operations. The United States does not permit,

tolerate, or condone torture under any circumstances. Moreover, in accordance with the policy of this administration:

- The United States has respected -- and will continue to respect -- the sovereignty of other countries.
- The United States does not transport, and has not transported, detainees from one country to another for the purpose of interrogation using torture.
- The United States does not use the airspace or the airports of any country for the purpose of transporting a detainee to a country where he or she will be tortured.
- The United States has not transported anyone, and will not transport anyone, to a country when we believe he will be tortured. Where appropriate, the United States seeks assurances that transferred persons will not be tortured.

International law allows a state to detain enemy combatants for the duration of hostilities. Detainees may only be held for an extended period if the intelligence or other evidence against them has been carefully evaluated and supports a determination that detention is lawful. The U.S. does not seek to hold anyone for a period beyond what is necessary to evaluate the intelligence or other evidence against them, prevent further acts of terrorism, or hold them for legal proceedings.

With respect to detainees, the United States Government complies with its Constitution, its laws, and its treaty obligations. Acts of physical or mental torture are expressly prohibited. The United States Government does not authorize or condone torture of detainees. Torture, and conspiracy to commit torture, are crimes under U.S. law, wherever they may occur in the world.

Violations of these and other detention standards have been investigated and punished. There have been cases of unlawful treatment of detainees, such as the abuse of a detainee by an intelligence agency contractor in Afghanistan or the horrible mistreatment of some prisoners at Abu Ghraib that sickened us all and which arose under the different legal framework that applies to armed conflict in Iraq. In such cases the United States has vigorously investigated, and where appropriate, prosecuted and punished those responsible. Some individuals have already been sentenced to lengthy terms in prison; others have been demoted or reprimanded.

As CIA Director Goss recently stated, our intelligence agencies have handled the gathering of intelligence from a very small number of extremely dangerous detainees, including the individuals who planned the 9/11 attacks in the United States, the attack on the U.S.S. Cole, and many other murders and attempted murders. It is the policy of the United States that this questioning is to be conducted within U.S. law and treaty obligations, without using torture. It is also U.S. policy that authorized interrogation will be consistent with U.S. obligations under the Convention Against Torture, which prohibit cruel, inhuman, or degrading treatment. The intelligence so gathered has stopped terrorist attacks and saved innocent lives -- in Europe as well

as in the United States and other countries. The United States has fully respected the sovereignty of other countries that cooperate in these matters.

Because this war on terrorism challenges traditional norms and precedents of previous conflicts, our citizens have been discussing and debating the proper legal standards that should apply. President Bush is working with the U.S. Congress to come up with good solutions. I want to emphasize a few key points.

- The United States is a country of laws. My colleagues and I have sworn to support and defend the Constitution of the United States. We believe in the rule of law.
- The United States Government must protect its citizens. We and our friends around the world have the responsibility to work together in finding practical ways to defend ourselves against ruthless enemies. And these terrorists are some of the most ruthless enemies we face.
- We cannot discuss information that would compromise the success of intelligence, law enforcement, and military operations. We expect that other nations share this view.

Some governments choose to cooperate with the United States in intelligence, law enforcement, or military matters. That cooperation is a two-way street. We share intelligence that has helped protect European countries from attack, helping save European lives.

It is up to those governments and their citizens to decide if they wish to work with us to prevent terrorist attacks against their own country or other countries, and decide how much sensitive information they can make public. They have a sovereign right to make that choice.

Debate in and among democracies is natural and healthy. I hope that that debate also includes a healthy regard for the responsibilities of governments to protect their citizens.

Four years after September 11, most of our populations are asking us if we are doing all that we can to protect them. I know what it is like to face an inquiry into whether everything was done that could have been done. So now, before the next attack, we should all consider the hard choices that democratic governments must face. And we can all best meet this danger if we work together.

Thank you.

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U.S. DEPARTMENT of STATE

Interview With Anne Will of German TV One (ARD)

Secretary Condoleezza Rice

Berlin, Germany

December 6, 2005

QUESTION: Madame Secretary, you've just met with Chancellor Merkel. What impression do you have of her in her new role?

SECRETARY RICE: Yes. Well, I had met her before and I knew her at that time to be a highly intelligent woman and it was a great meeting today. She is so committed. She's so committed to Germany. She's so committed to a Europe that is whole and free and at peace. And I found her just exceptionally a great interlocutor on all the issues. We talked about the Middle East. We talked about the future of Russia and Ukraine. And we talked about the importance of Afghanistan where Germany, of course, has been really one of the lead countries. And so she's a wonderful interlocutor, just very dedicated to liberty and freedom.

QUESTION: How can the German Government be successful in improving German-American relations? With, on the one hand, the Chancellor, who tends to be pro-American, of course, and on the other hand, a Foreign Minister, who was involved in tailoring the previous government's foreign policy, who wasn't exactly pro-American.

SECRETARY RICE: Yes. Well, the Chancellor said something very important. She said it in the press conference as well. She said, our policy will derive from German interests. And I think that she sees German interest as having also at their root a good, strong relationship with the United States.

We, and Germany, have been through so much together. As I sit here in Berlin, now an undivided city, once the symbol of the Cold War, once the symbol of the division of Europe, I recognize that without German-American friendship, we wouldn't be sitting in an undivided Berlin. And on the basis of that history and on the basis of our common values, we can go ahead to do so much in the Middle East and the -- with the new democracies that are emerging in Afghanistan and Iraq. And I found, too, my conversations with the Foreign Minister to be very similar, that whatever differences there were in the past and there were differences, we can acknowledge there were differences, but they never, ever obscured the fact that Germany and the United States are friends and Germany and the United States share values.

And so we have now a firm foundation on which to move forward with the many challenges that we face in these quite historic times.

QUESTION: The press (inaudible) governments, one that is currently overshadowed in a way. In the eyes of many German people the U.S. has a -- has an image problem: Abu Ghraib, Guantanamo, now the renditions, as you called them, the secret CIA flights and the alleged secret CIA prisons. What would you say to those people?

SECRETARY RICE: Yes. Well, I would hope to remind everyone that we are partners together in this very difficult war on terror, a war in which the terrorists live among us and which they clearly are determined to kill innocent civilians. Now, that was a wedding party in Amman. It was a railway stop, a traffic stop in London and in Madrid. They go to hotels and blow up innocent people.

So we're dealing with a different kind of war but we are also both nations of laws. We believe in the rule of law. And what I assured my European colleagues in my answer to Foreign Secretary Straw is that the United States intends and will fully live up to obligations under our international commitments as well as obligations under U.S. law. We don't condone torture. We are determined to do everything that we can to protect our citizens but within a lawful framework.

I also would note that when something goes wrong as it did in Abu Ghraib, this were sights that sickened every American because that isn't what American men and women in uniform do or want to be remembered for. They are putting their lives on the line in Afghanistan and in Iraq to try to bring freedom to people. And so when Abu Ghraib happened, we denounced it. We punished people who were involved in it. There were long prison sentences handed out to people. And that's the difference between a democracy and a dictatorship.

And so when these difficult issues come up, I would hope that we all go back to the fact that we share common values in our struggle. We are always willing to engage in the discussion and debate within democratic societies. It's only healthy that we do.

QUESTION: Would you say that the war on terrorism can't be fought fully lawfully, morally and ethnically?

SECRETARY RICE: Well, I think the war on terrorism has to be fought lawfully. And if it's not, then we're not a country of laws and that is no place to be. The terrorists have no regard for innocent life. The terrorists live in a lawless and law-free society. They live in a world that crosses these boundaries in shadowy ways. They're stateless in a sense. We don't want to mimic them or to become like them. That's why the President has insisted that even though they are unlawful combatants, we will treat them consistent with the obligations that we have under our international obligations like the Geneva Convention. There are military necessities, but we are going to be a country of laws. And the President has been determined about that. I've sat in with him many times when he talks about this and that is something of which our partners can be assured. w

QUESTION: What we want to know is what did the German Government know about the renditions?

SECRETARY RICE: Well, Chancellor Merkel today said in the press conference and told me that they intend to look at any specific cases within the framework of the Bundestag. She believes that there is a committee that appropriately can look at this, can protect intelligence information and yet can give the kind of transparency that is needed in these cases and we respect that decision. It's the U.S. view that rendition is a legal practice, that it is a practice that has taken terrorists off the streets. It was used before September 11th and it's been used after September 11th. It was used, for instance, to get Carlos the Jackal, the very -- the infamous terrorist who was rendered to France. So all of this needs to be done within the context of law.

We also (inaudible) within the context of law, we are fighting an enemy that is ruthless, that if we don't use intelligence before the fact, if we don't get intelligence, we can't stop an attack. And we can do everything that we want to try to harden our airports and to try to harden our ports and to use law enforcement, but the sad fact is that the terrorists have the upper hand and that we have to be right 100 percent of the time. They only have to be right once. In order to stop them, we need good intelligence, we need good intelligence cooperation and I am certain that as countries of laws, that believe in the law, that believe in our international obligations, that we can win this war on terrorism within this lawful framework.

QUESTION: But you didn't say what the German Government know about this?

SECRETARY RICE: Well, the German Government is going to look into this matter on its own. I've been very clear that we respect the sovereignty of our partners. But I will leave it, as is the case with any democratic government, to determine how it addresses its public while protecting the -- protecting intelligence operations.

QUESTION: Madame Secretary, thank you so much.

SECRETARY RICE: Thank you very much.
2005/T20-3

Released on December 6, 2005



U.S. DEPARTMENT of STATE

Press Availability With Ukrainian President Viktor Yushchenko

Secretary Condoleezza Rice
Kiev, Ukraine
December 7, 2005

PRESIDENT YUSHCHENKO: The center of the context of the meeting, we just concluded our bilateral negotiations in which we discussed our possible cooperation and our strategic partnership.



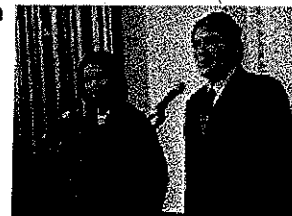
First of all, we tackled some of the issues related to the energy projects where American companies could participate and would be great to participate. We also discussed some of the issues related to the Jackson-Vanick Amendment. Right now, we are in the process of technological solution of this problem and the appropriate agreement was reached with the American side. We also discussed a possible project -- projects in the area of medicine. First of all, discussed the need to consolidate the efforts in combating the bird flu and some other issues that represent the interest of both sides.

We had consultations in the aerospace industry and we submitted a package of documents that will be thoroughly studied by the American side. We hope that the visit of the head of NASA organization that is expected to take place in the first half of the next year will result in signing the agreement in cooperation in the area of space exploration.

There is a good dynamics in our trade relations and we hope that dynamics will be accelerated after signing the protocol, and will ensure access to the commodities and services markets.

We share common views on what Ukraine has managed to do on accelerating its accession to WTO. I in general say that over the last four months, Ukraine made significant progress and the last issue that we tackled in the course of our negotiations was the market economy status. Some positive steps were made in this area. And we also submitted our explanations to some of the activities that were done in economy, in economic reforms, and we hope that our explanations will purely satisfy the American side.

SECRETARY RICE: Thank you. Thank you very much, Mr. President, for the warm welcome here. I have not been to Ukraine since 2001. A great deal has changed. And I have been very pleased to have discussions here on the further course of economic and political reform in Ukraine.



I do believe that we can accelerate the pace of our -- of the development of our economic relations, including our trade relations. We had talked about the steps that still need to be taken to get a WTO agreement, to get market status for the Ukrainian economy. But I believe that we are making good progress and we are certainly committed to Ukraine's full integration into the international economy and ultimately into Euro-Atlantic structures.

I have had the pleasure of meeting with the President and other members of his team, of course, my colleague, Mr. Tarasyuk, on a number of occasions, and I just want to say that America, of course, values of the friendship

of Ukraine, a great strategic -- a strategic partner and an important country within Europe. And that we look forward to further work with this team that is so committed to democracy, so committed to Ukraine's future and most especially so committed to a better and more prosperous future for the Ukrainian people. Thank you.

QUESTION: Madame Secretary, is the United States only obliged to prevent cruel, inhumane, and degrading treatment to its detainees on U.S. territory?

SECRETARY RICE: Mr. President -- to answer this question. As you know, it's been an issue here on my trip. As a matter of U.S. policy, the United States obligations under the CAT, which prohibits, of course, cruel and inhumane and degrading treatment, those obligations extend to U.S. personnel wherever they are, whether they are in the United States or outside of the United States.

QUESTION: My question is to Ms. Rice. The Ukrainian Government is hoping to get market economy status from United States already in February. Do you think those hopes are realistic? Thank you.

SECRETARY RICE: Thank you. We are certainly hopeful that we can move the market economy status talks forward. I have to note that this is a matter that the Commerce Department has very strict rules and a set of obligations that must be met before that status can be extended, but we are working very hard. We are hoping to have Commerce Department representatives here again to work. We want very much to see the Ukrainian economy succeed. This would be at an important step forward. And as soon as Ukraine can meet those criteria, then we will be ready to grant market economy status. And so it is our hope that this can happen very soon indeed.

QUESTION: Mr. Yushchenko, a year after your revolution, your government is in disarray and your economy is stagnant. Have you told Secretary Rice what you plan to do to turn this around?

And, Madame Secretary, as you know, Russia is in the process of passing a law that would restrict American-backed and other NGOs promoting democracy and other things and they are encouraging other Soviet republics to do the same. Those same NGOs helped organize people for the revolution here. Do you have concern about this law in Russia and about the effort to encourage similar laws in this region?

PRESIDENT YUSHCHENKO: -- what kind of economic and social situation we have in Ukraine. The GDP is approximately 4 percent and last year revenues by 60 or 70 percent higher than the last year. And recent risen real income by 25 percent, increasing wages by 34 percent, (inaudible) salary by 67 percent. There is a trend for the growth of industrial output and a trend for growth in most of the economic sectors. I think the economy managed to overcome those shocks and those difficulties rather quickly and rather easily over the last eight months. And I think in terms of administrative intervention that was made by the previous government in terms of the mistakes that were made by the government, I mean the closure of GDP down, the closure of free trade areas, the downfall of GDP and the almost negative trade balance, we managed to correct all those mistakes rather promptly and speedily. Just for example, in the first half of the year, there was a decrease in foreign direct investments in four times and just recently, over the last half of the year, there was an increasing direct foreign investments in dozens of times, and that experts shall calculate exactly what numbers we can present.

So we managed to overcome those economic difficulties that we experienced in the first half of the year. We have the government which is working quite steadily, the economy has calmed down and overcome the monthly crises, and today I think the main top priority on the agenda is to overcome the political difficulties. That probably has the most negative impact on economic indicators. In the course of our negotiations, we dedicated a lot of time, actually, to this issue. So I would like you to accept my optimistic remarks, my optimistic attitude to that.

SECRETARY RICE: He's from the American press, accepting your optimistic remarks, I think is -- (laughter). Yes, in fact, there is a law that has gone, I think, for the first reading in the Duma in Russia about which we do have concerns, about which human rights -- perhaps I should say nongovernmental organizations have concerns, about which I believe some Russians have concerns. And the United States Government has expressed those concerns to the Russian Federation at all levels.

We would certainly hope that the importance of nongovernmental organizations to a stable, democratic environment would be understood by the Russian government. Democracy is built, of course, on elections and it's built on parliaments and it's built on principles like rule of law and freedom of speech. But it is also built on the ability of citizens to associate themselves freely and to work to bring their government into a particular direction.

And the role of nongovernmental organizations that have been working in Russia and in other newly independent states of the former Soviet Union are simply trying to help citizens to organize them selves better, to petition their government to make changes in the policies that affect their very lives. That's the essence of democracy. And we are making the case to the Russian government but we are also making the case to other places as well.

I can say that here in Ukraine, civil society is active and it is working hard, and it is one reason that we have such hope and optimism for the future of Ukraine.

QUESTION: The question to the president of Ukraine. Yesterday, the minister of economy said that due to some technical reasons, Ukraine would not be able to get a positive decision on accession to the WTO during the Hong Kong Summit. Do you have any specific plans about Ukraine's accession to WTO in terms of time frame?

PRESIDENT YUSHCHENKO: This is true that mainly we are speaking about technical things. In terms of protocols, we have eight or nine protocols to be signed, and specifically the bilateral (inaudible) between the government of Ukraine and the government of United States of America, Australia. Our positions are pretty close in our dialogue.

The proposals that have been sent, I think, would provide opportunities for both sides, I mean American and Australian side, to accept Ukraine's position. And today I think this issue is more procedural than substantive.

Next question, the question -- in terms of six laws, I mean six laws that have not been passed by the parliament but will have to be passed yet. Basically we are speaking about the laws that are needed to regulate the exports of the cattle skins, and this is one of the requirements of the WTO. But the complexity of this problem is most of the cattle skins today are exported from Ukraine through the so-called free trade areas. So (inaudible) but the part of the question was also quite correct.

Another two laws that should be passed by the parliament are two laws on nonferrous and ferrous scrap metals. But I think these are laws that could be passed rather quickly.

And another thing, I think Ukraine can complete most of its commitment after it gets membership in WTO and during the so-called transition period that is supposed to be granted to Ukraine. But basically we expect from Hong Kong Summit rather positive remarks. And I think prior to the next parliamentary election, Ukraine will try to provide all the answers that are needed by WTO.

2005/T20-06

Released on December 7, 2005