

ANDREW TYRIE MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Dr Condoleezza Rice  
Secretary of State

By hand

30<sup>th</sup> January 2006

Dear Secretary of State

I am writing to you again in my capacity as Chairman of the All Party Parliamentary Group on Extraordinary Rendition. As you may recall, this is a cross party group of over 50 MPs and Peers from the British parliament.

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

We read your statement of 5<sup>th</sup> December on this issue with care. We commissioned a leading authority, Professor James Crawford, Dean of the Faculty of Law at the University of Cambridge, to give his opinion on it (attached).

Two important conclusions can be drawn from Professor Crawford's Opinion. First, to comply with its legal obligation the British government must satisfy itself that ~~Extraordinary Rendition~~ is not leading to torture. As Professor Crawford puts it: 'the question that must be asked is whether torture is likely to take place if a person is transported, irrespective of whether or not the government claims that the answer is no, or what its hopes or beliefs may be' (para. 20).

Chairman: Andrew Tyrie MP  
Vice Chairmen: Chris Mullin MP, The Rt Hon Sir Menzies Campbell MP  
Specialist Adviser: Mark Pallis, LLM  
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Secondly, relying on your assurances provides little or no legal cover for the UK government. Your assurances are based on the US government's interpretation of its obligations, but these are as good as worthless for ensuring compliance with Britain's legal obligations.

In particular, as Professor Crawford clarifies, any UK assistance to US aircraft which may be engaged in Extraordinary Rendition should be conditional on the US respecting obligations not to engage in torture, at the legal standard at which the obligations apply to the UK. In other words, if the US is to use, or has used, UK airports and airspace for these practices, the US must abide, or have abided, by the legal rules that bind the UK and UK courts' interpretation of them, not just US law or the US administration's interpretation of them.

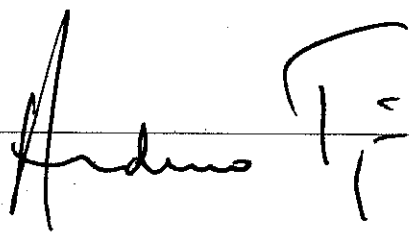
We would very much welcome your response to these concerns.

We would also be delighted if you felt able, if only briefly, to meet with us - either at a full meeting specially convened for the purpose or with Chris Mullin MP, The Rt Hon Sir Menzies Campbell and me, each of us from one of the main parties in Britain.

If you are not able to attend, perhaps your legal adviser, John Bellinger, may be able to find the time to address us when he is in the UK in early February.

I am putting this letter into the public domain.

Yours sincerely



**ANDREW TYRIE**

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THE LEGAL ADVISER  
DEPARTMENT OF STATE  
WASHINGTON

March 9, 2006

All Party Parliamentary Group  
on Extraordinary Rendition  
c/o Office of Andrew Tyrie  
House of Commons  
London SW1A 0AA  
United Kingdom

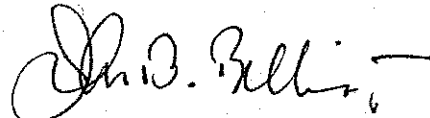
Dear Mr. Tyrie:

Secretary Rice has asked me to respond to your recent letter to her, attaching Professor Crawford's report regarding extraordinary renditions of terrorist suspects. We appreciate your views on these issues.

I also appreciated the opportunity to meet you when I was in London last month, and I hope that I was able to address the questions you posed in your letter at that time. I also was able to address similar questions when I met with members of the Foreign Affairs Committee when they visited the Department of State on March 2.

Secretary Rice and I remain committed to engaging in a constructive dialogue with UK and other European officials on these and other issues relating to our collective response to the terrorist threat posed by al-Qaida.

Sincerely,

  
John B. Bellinger, III