



HOUSE OF COMMONS

LONDON SW1A 0AA

Rt Hon Alex Salmond MSP
First Minister
Office of the First Minister
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

2 April 2008

A handwritten signature in black ink, appearing to read "Andrew Tyrie".

Re: Extraordinary Rendition

I am writing in my role as Chairman of the All Party Parliamentary Group on Extraordinary Rendition, following the Foreign Secretary's Terrorist Suspects (Renditions) Statement on 21 February 2008¹. I welcome the review of rendition flights through Scottish airports that the Scottish Executive has announced. I await Cabinet Secretary for Justice Kenny MacAskill's conclusion with interest. As you know, there is much circumstantial evidence that Scottish airports and airspace may have been used in the US rendition programme.

Alleged Involvement of Scottish Territory and Airspace

There have been repeated allegations that the US has used Scottish airspace and airports in its rendition programme. These allegations are based on the reports of UK Parliamentary Committees², international organisations³, and NGOs⁴.

The Parliamentary Assembly of the Council of Europe described a global 'spiders web' of rendition flights in which Prestwick airport acted as a "stopover point" used to refuel⁵. In the course of the Council of Europe's

¹ <http://www.publications.parliament.uk/pa/cm200708/cmhansrd/cm080221/debtext/80221-0008.htm#08022198000007>

² The Foreign Affairs Committee and the Intelligence and Security Committee

³ Including the Council of Europe and the European Parliament

⁴ <http://archive.amnesty.org/library/Index/ENGEUR450592005?open&of=ENG-2EU>;
<http://www.reprieve.org.uk/documents/230807REPORTONSCOTTISHINVOLVEMENT.pdf>

⁵ Council of Europe Committee on Legal Affairs and Human Rights, Alleged secret detentions and unlawful inter-state transfers of detainees involving Council of Europe member states: Draft Report – Part II, para 43,
http://assembly.coe.int/CommitteeDocs/2006/20060606_Ejdoc162006PartII-FINAL.pdf

enquiries Angus Robertson MP submitted “a detailed report of numerous suspect movements of aircraft transiting through Scotland” to rapporteur Dick Marty⁶. The Report listed CIA flights that had allegedly operated through Scottish airports at Prestwick, Glasgow and Edinburgh, including a plane with registration N379P, which has been linked to rendition flights in the past⁷.

The Foreign Affairs Committee in its First Report of 2005-06 quoted a *Guardian* report of 12 September 2005, stating that Prestwick and Glasgow are the favourite UK destinations of CIA aircraft involved in rendition operations, with 75 and 74 flights respectively⁸. The Intelligence and Security Committee Report into Rendition, published on 25 July 2007, named four specific ‘ghost flights’ which had allegedly refueled at Prestwick airport following a rendition operation⁹.

These allegations were not investigated by Strathclyde Police due to a lack of evidence¹⁰. Now some such evidence has been provided by the Foreign Secretary¹¹. There is a clear duty to investigate credible allegations of torture¹².

The Position of the UK Government

The UK Government has repeatedly relied on US assurances on this issue¹³. Following the Foreign Secretary’s statement it is clear that these assurances are unreliable. The Intelligence and Security Committee found “a lack of regard, on the part of the U.S., for UK concerns¹⁴”. The Committee continued:

⁶ <http://www.guardian.co.uk/world/2006/jan/24/usa.politics>. The Report is available at http://www.snp.org/press-releases/2005/snp_press_release.2006-01-18.7084056278.

⁷ This plane has also been connected to the renditions of British residents Jamil el-Banna and Bisher al-Rawi from the Gambia; the rendition of British national Martin Mubanga; and one of the two rendition flights that the Foreign Secretary recently confirmed refuelled at Diego Garcia.

⁸ Foreign Affairs Committee First Report 2005-06, para 45,

<http://www.publications.parliament.uk/pa/cm200506/cmselect/cmfaff/574/57406.htm#n61>

⁹ Intelligence and Security Committee Report into Rendition, 25 July 2007, para 187,

<http://www.cabinetoffice.gov.uk/intelligence/>

¹⁰ Intelligence and Security Committee Report into Rendition, 25 July 2007, para 196,

<http://www.cabinetoffice.gov.uk/intelligence/>

¹¹ <http://www.publications.parliament.uk/pa/cm200708/cmhansrd/cm080221/debtext/80221-0008.htm#08022198000007>

¹² James Crawford & Kylie Evans, *OPINION: Extraordinary rendition of terrorist suspects through the United Kingdom*, 9 December 2005, para 22. Available at www.extraordinaryrendition.org

¹³ Intelligence and Security Committee Report into Rendition, 25 July 2007, Para 197,

<http://www.cabinetoffice.gov.uk/intelligence/>; Written Answer by Meg Munn, 11 October 2007,

<http://www.publications.parliament.uk/pa/cm200607/cmhansrd/cm071011/text/71011w0006.htm#0710113300006>

¹⁴

Intelligence and Security Committee Report into Rendition, 25 July 2007, Para V,

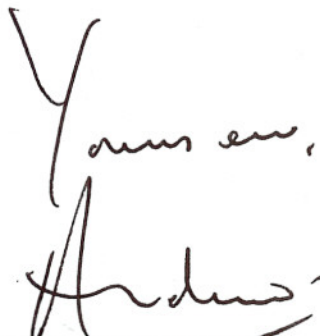
<http://www.cabinetoffice.gov.uk/intelligence/>

“[a]lthough the U.S. may take note of UK protests and concerns, this does not appear materially to affect its strategy on rendition¹⁵”. Former Foreign Secretary and current Chairman of the Intelligence and Security Committee Margaret Beckett MP said on Sunday 24 February 2008 that “clearly there are flaws in their [the United States’] record-keeping¹⁶”.

The Foreign Affairs Committee most recently examined the issue of rendition in its Third Report of 2006-07. It stated: “it is arguable that refuelling an aircraft immediately before or after its use in a rendition amounts to facilitating rendition¹⁷”. It went on to recommend “that the Government ask the United States administration to confirm whether aircraft used in rendition operations have called at airfields in the United Kingdom or in the Overseas Territories en route to or from a rendition and that it make a clear statement of its policy on this practice¹⁸”. The Government refused¹⁹.

Your review can help shed some more light on this unacceptable practice and thereby help bring it to an end. I would be grateful if you could pass on a copy of this letter to the relevant authorities.

I am placing this letter in the public domain.



ANDREW TYRIE

Chairman, All-Party Parliamentary Group on Extraordinary Rendition

Cc. Angus Robertson MP

¹⁵ Intelligence and Security Committee Report into Rendition, 25 July 2007, Para Y, <http://www.cabinetoffice.gov.uk/intelligence/>

¹⁶ http://news.bbc.co.uk/1/hi/programmes/andrew_marr_show/7261496.stm

¹⁷ Foreign Affairs Committee Third Report 2006-07, para 78,

<http://www.publications.parliament.uk/pa/cm200607/cmselect/cmcaff/269/26907.htm#a13>

¹⁸ Foreign Affairs Committee Third Report 2006-07, para 80,

<http://www.publications.parliament.uk/pa/cm200607/cmselect/cmcaff/269/26907.htm#a13>

¹⁹ <http://www.fco.gov.uk/Files/kfile/CM%207127.pdf>