



HOUSE OF COMMONS

LONDON SW1A 0AA

Rt. Hon. Jack Straw MP
Secretary of State for Justice and Lord Chancellor
Ministry of Justice
Selborne House
54 Victoria Street
London
SW1E 6QW

5 November 2009

Dear Jack,

Re: APPG on Extraordinary Rendition Proposals to Criminalise UK Involvement in Extraordinary Rendition

I am publishing proposals today designed to tighten the law on extraordinary rendition. These are the result of lengthy consultation and deliberation with leading experts in the field over nearly two years. I'm confident that once you have had an opportunity to study them you will see their value and I very much hope that you will be able to find legislative time, as soon as possible, to introduce them. If you do not agree with these proposals, or the need for them, I'd be very grateful for your reasons why. A little more detail on the origins of these proposals is set out below.

In February 2008, the APPG sought the assistance of *Freshfields Bruckhaus Deringer* to examine whether changes to the law were needed to prevent UK involvement in extraordinary rendition. The conclusion of the APPG and Freshfields' joint work is that English law is currently inadequate to meet the challenges of rendition and that the law could be strengthened.

Recent disclosures of UK involvement, the two acknowledged rendition flights through Diego Garcia, and further allegations surrounding the use of British airspace and airports for rendition flights, demonstrate that the current legal framework does not deter the use of UK territory for the purposes of rendition. The steps taken by the government to investigate these allegations have been inadequate.

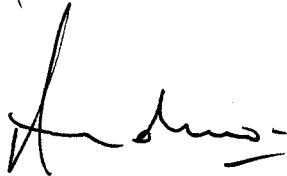
The attached consultation document proposes a solution. By establishing a specific criminal offence that focuses on rendition flights themselves, the

APPG's proposal addresses, for the first time, the specific conduct that constitutes UK involvement in extraordinary rendition. This proposal therefore provides a proper deterrent for participation in extraordinary rendition. Extraordinary rendition flights that use UK airports or other transport facilities would simply be criminal under English law.

No country has as yet established a clear specific prohibition on extraordinary rendition *per se*. There is an opportunity for the UK to take the lead in crystallising an effective prohibition against extraordinary rendition.

I am copying this letter to the Home Secretary, the Foreign Secretary and the Attorney General. I am placing a copy of this letter in the public domain.

Yours ever,

A handwritten signature in black ink, appearing to read 'Andrew Tyrie', with a horizontal line underneath the name.

ANDREW TYRIE

Chairman, All-Party Parliamentary Group on Extraordinary Rendition