



All Party Parliamentary Group on Extraordinary Rendition
House of Commons, London, SW1A 0AA
0207 219 6371

Rt Hon Sir Malcolm Rifkind KCMG QC MP
Chairman
Intelligence and Security Committee of Parliament
House of Commons
London
SW1A 0AA

4th March 2014

Dear Malcolm,

On 19 December 2013, Kenneth Clarke announced that the Intelligence and Security Committee, which you chair, would assume responsibility for an investigation into allegations of British involvement in the CIA-led extraordinary rendition programme.¹

The ISC already investigated rendition in 2007 – prior to your Chairmanship – but erroneously concluded that there was ‘no evidence that the UK agencies were complicit in any extraordinary rendition operations.’ At this second attempt, it is essential, both to give the public greater confidence that Britain is no longer involved in such practices, as well as for the credibility of your Committee, that the ISC gets to the truth on rendition.

Implementation of the following suggestions can increase its prospects of success.

¹ In doing so the government has set aside its commitment to reconstitute a judge-led inquiry into rendition as soon as the police investigations made that possible.



We suggest that the Committee:

1. require Permanent Secretaries of all relevant departments and agencies, including the Security Services, personally to certify that they have taken all reasonable steps to supply the Committee with all relevant information held by their department, and that they have brought to the Committee's attention all matters relevant to the investigation;
2. create a high quality investigation Panel constituted, at least in part, from those with extensive professional experience of the security services, to examine documents and ensure that all relevant information has been provided;
3. examine the issue of detainee transfers in Iraq and Afghanistan, both whether anyone captured by the UK had been handed over to the control of the US or another country or transferred out of the country and whether the UK was involved in or had knowledge of subsequent mistreatment of these detainees. On 6 July 2010, the Prime Minister confirmed on the floor of the House that the Detainee Inquiry, to be chaired by Sir Peter Gibson, would examine the transfer of prisoners in theatre. However, he appeared to resile from this commitment in a letter to Sir Peter published the same day, stating that "*military detention operations in Iraq and Afghanistan post-2003 are being addressed by separate arrangements made by the [MOD].*" It is crucial to the credibility of your inquiry that detainee transfer be examined;
4. while recognising the difficulties, where necessary and feasible, seek access to non-UK and non-government bodies to obtain information;
5. clarify that the ISC will decide whether and in what form information is published, subject to a final determination by the Prime Minister;



6. publish as full an explanation as reasonably possible of the Committee's intended overall approach to the inquiry, addressing the above points, as soon as reasonably possible.

In our view, these are minimum requirements if the inquiry is to have a reasonable prospect of getting to the truth and carrying public confidence that it has done so.

We would be very happy to discuss this with you further.

We will put this letter, and your reply, in the public domain.

Yours ever,

Andrew

ANDREW TYRIE MP

LORD DUBS

LORD TYLER

LORD HODGSON OF ASTLEY ABBOTTS

RT HON THE LORD BROOKE OF SUTTON MANDEVILLE

RT HON FRANK FIELD MP

RT HON THE BARONESS WILLIAMS OF CROSBY

DOMINIC RAAB MP