



HOUSE OF COMMONS

LONDON SW1A 0AA

Rt Hon David Cameron MP
Prime Minister
10 Downing Street
London
SW1A 2AA

28 March 2011

Dear David,

Re: Detainee Inquiry

I would be grateful for confirmation that the Detainee Inquiry will be able to address all detainee transfers in theatre in Iraq and Afghanistan, including those post-2003.

The pre-2004 transfers are unambiguously within Sir Peter Gibson's remit, but not necessarily the post-2003 transfers. In your letter to Sir Peter you asked him to examine whether "*the UK... [was] involved in improper treatment of detainees held by other countries in counter-terrorism operations overseas...*" This must include detainee transfers. In the House you also specifically confirmed to me that it did.ⁱ However, your letter to Sir Peter of 6 July 2010 stated that "*military detention operations in Iraq and Afghanistan post-2003 are being addressed by separate arrangements made by the [MOD]*". While this clarifies the position of the pre-2004 transfers it leaves open the post-2003 transfers.

Sir Peter and his team will have to engage fully with the MOD for the pre-2004 work, so it makes sense for the inquiry also to address the post-2003 period. The inquiry's ability both to make policy recommendations and to consider the "*evolution of the Government's response to... changing practices of other countries towards detainees*" would be impaired by an arbitrary cut off.ⁱⁱ The 'separate arrangements', made by the MOD to examine the situation post-2003, appear inadequate.ⁱⁱⁱ Given that rendition will be at the heart of the inquiry, and that we know UK forces were involved in rendition to some extent post-2003^{iv},

a full examination is necessary in order to draw a line under these issues and to restore public confidence.

Yours
Andrew

ANDREW TYRIE
Chairman, All Party Parliamentary Group on Extraordinary Rendition

Cc. Rt Hon Sir Peter Gibson

ⁱ **Mr Andrew Tyrie (Chichester) (Con):** I warmly welcome the Prime Minister's statement. It was courageous and very thoughtful, and the inquiry is a huge step forward as it can draw a line under a sorry affair that has been eroding public confidence in our security services, which do such good work on our behalf. Will he clarify that the remit that will be given to the inquiry will be broad enough to encompass all allegations of complicity in rendition, including on rendition flights, the use of Diego Garcia *and the transfer of prisoners in theatre?*

The Prime Minister: *Yes, I can confirm that the inquiry will be able to look at all those issues, including rendition, extraordinary rendition and the case that the hon. Gentleman mentions involving Diego Garcia. (Emphasis added)*

ⁱⁱ You specifically asked the inquiry to examine this issue in your letter to Sir Peter Gibson of 6 July 2010.

ⁱⁱⁱ I raised this with the Secretary of State for Defence in January (attached) but have yet to receive a reply.

^{iv} See Rt Hon John Hutton MP, Records of Detention (Review Conclusions), 26 February 2009, *Official Report*, Column 394.