



All Party Parliamentary Group on Extraordinary Rendition
House of Commons

Press release: Immediate, Thursday 25th March 2010

The Joint Committee on Human Rights report on Counter Terrorism Policy and Human Rights was published today. It recommends the publication of past guidance to the intelligence services on the detention and interrogation of suspects overseas, the reform of the ISC, and describes the “urgent need for an independent inquiry”.

Andrew Tyrie MP said: “I’m pleased that the Joint Committee on Human Rights has renewed its support for an inquiry into British involvement in rendition and the mistreatment of suspects overseas. They join a long list of supporters, which includes almost everyone except the government. The Conservative Party, the Liberal Democrats, Lord Carlile, the Government’s own independent reviewer of terrorism legislation, and other experts in the field now all agree. So do Amnesty International, Human Rights Watch, Liberty and Reprieve.

“The government cannot continue to ignore the pressing need to find out what happened. Only by doing so can Britain draw a line under these allegations.”

“The Joint Committee is also right to register concern about the failure to publish the current guidelines for interrogations overseas. The Prime Minister promised that the guidelines would be published in time for a Parliamentary debate last week, only to be met with further delays and prevarication. It appears that they will now not be published until after the General Election. This delay is unacceptable. The public will conclude that the indefinite delay is nothing more than a political decision, taken in order for the government to avoid criticism and embarrassment.”

Ends.

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Notes to Editors:

On Monday 22nd March 2010, the all party parliamentary group on extraordinary rendition, Amnesty International, Human Rights Watch, Liberty and Reprieve released a joint open letter calling for an inquiry. The text is below:

Dear Sirs

In light of the string of recent revelations, the All-Party Parliamentary Group on Extraordinary Rendition, Amnesty International UK, Human Rights Watch, Liberty and Reprieve have united to call on the UK Government to establish an independent inquiry into the UK's involvement in extraordinary rendition and the mistreatment of detainees abroad. The public should not have to rely on occasional speeches and lengthy judicial cases to discover the truth about such a serious issue.

We propose that such an inquiry should examine, amongst other issues, the use of UK territory and airspace, the involvement of the intelligence agencies and the involvement of the Armed Forces. The inquiry should be guided by the following statement of principles; it should:

1. be led by a judge or former judge. It should benefit from appropriate legal representation on the inquiry's panel. This is essential to give the inquiry independence and legitimacy;
2. be public, with as much evidence as possible heard in public. The government should disclose all relevant documents to the inquiry, and the head of the inquiry must have the power to then decide what should be made public;
3. aim to achieve maximum possible disclosure;
4. publish a report, making any necessary recommendations including on changes to law and / or policy;
5. Consider any other such matters as it considers appropriate and accept and consider written submissions from interested parties.

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Signed,

All Party Parliamentary Group on Extraordinary Rendition;

Amnesty International UK;

Human Rights Watch;

Liberty;

Reprieve.

ISC Parliamentary Debate:

On Thursday 18th March 2010 there was a Parliamentary debate on the Intelligence and Security Committee's Annual report 2008-9.

One week prior to the debate, the ISC made the report public and informed that the Prime Minister had promised to release the next annual report (2009-10) and the guidelines for intelligence services for interrogations abroad in good time for the debate. The ISC's annual report 2009-10 was released on the morning of 18th March, the guidelines are still not published.

This attracted considerable criticism during the debate, which also covered topics relating to the independence of the ISC, the need for an inquiry, and the delays and failures in publishing the ISC reports and the guidance. Extracts from this debate are below:

ISC Independence:

Dr Kim Howells: *"If we on the ISC have concerns about the independence of the Committee, they stem not from the motives and abilities of its members but from the nature of the ISC's relationship with the Whitehall administrative machine. On pages 4 and 5 of our 2009-10 annual report, we have described how, over the last 12 to 18 months, it has become very clear to us that there are some within the Whitehall bureaucracy who, for reasons of their own, have not understood or have refused to accept that the independence of the ISC is sacrosanct....That is almost certainly the reason why, during the past 18*

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months, life for the ISC secretariat has been distinctly uncomfortable and, at times, very unpleasant and threatening. The ISC does not take kindly to such behaviour. We are not a Committee to be "steered", "guided" or manipulated by means of any other Whitehall cliché; we are a statutory and independent Committee of parliamentarians, and we speak as we find." [Column 996]

Intelligence Guidance:

Michael Mates: *"the draft guidance and the report both exist, and they are the property of the Prime Minister. The problem is that there is a difference of opinion about something that we have written in our report, which needs to be resolved. That is not going to change our report, however. Whether it changes the Government's guidance or not is another matter."* [Column 1015]

David Miliband: *"The Government share the Committee's desire to bring this issue to closure and remain committed to doing so at the earliest possible date. It is precisely because of the seriousness with which the Government regard this issue and the respect we have for the views of the ISC that we want to ensure that there is no room for misunderstanding our policy, and that we use the Committee's thinking to ensure that the guidance is comprehensive, appropriate and correct."* [1009-10]

Support for an inquiry:

William Hague: *"We have always argued for full investigation of all credible allegations of UK complicity and for action by the Government to draw a line under this episode, but it is much harder when the guidance has not even been published. There is a clear need to find a way to ensure that the problems of recent years have been investigated and addressed-and to do so as expeditiously as possible-and to draw a line, so that the UK intelligence and security agencies can focus on the present and the future, without having to look back to the past all the time. This is a difficult issue, but in that regard we would be inclined to have a judge-led inquiry to ensure that the lessons have been learned and that processes have been changed, where appropriate. The timing of such an inquiry would have to take current criminal proceedings into account and ensure that there is no risk of such proceedings being jeopardised. I know that the Foreign Secretary disagrees with that and is worried about it, but the Government have failed to find any other way of drawing a line, thereby helping the services and agencies to move on and satisfying the public that the issues have been addressed."* [Column 1017-18]

Dr Kim Howells: *"I have not got a problem with a judge-led inquiry, if it is designed to try to reassure the public that we have now got all the facts out"* [Column 1061]

Andrew Tyrie: *"My view is that a short judge-led inquiry might provide a way for us more quickly to draw a line under this than we can through a much more protracted process in the courts. That protracted process might also, whether fairly or not, lead to a further degradation of respect for both the intelligence services and the ISC."* [Column 1062]

Andrew Tyrie is Conservative MP for Chichester and Chairman and founder of the All Party Parliamentary Group on Extraordinary Rendition. Mr Tyrie can be contacted on 0207 219 6371. His office email is tyriea@parliament.uk. The website of the All Party Group is www.extraordinaryrendition.org.

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