



**All-Party Parliamentary Group on Extraordinary Rendition
House of Commons, London, SW1A 0AA**

Press release – 28 June 2018

Kenneth Clarke, Chairman of the All-Party Parliamentary Group on Extraordinary Rendition, has today renewed calls for an independent judge-led inquiry into the UK's involvement in extraordinary rendition and torture.

Ken Clarke said today: 'We recognise the crucial importance of strong effective British intelligence and security services and appreciate the difficult and dangerous work they do in protecting society in the face of the challenges of today's world. However, confidence in our intelligence and security services can only improve when the public can be sure that they will operate within clearly defined rules of law and not get involved in rendition and torture. Public and parliament must be satisfied that everything is run in an orderly and ethical way.

It is clear from the two ISC reports today that, in the years following 9/11, there were large numbers of cases where US intelligence services mistreated and unlawfully rendered detainees. It is also clear that our intelligence and security services were aware of and sometimes complicit in this behaviour. The effectiveness of the reports has been undermined by the government's refusal to allow them to interview crucial witnesses and a refusal to take seriously some of the committee's legitimate concerns.

These reports follow the abject apologies and admissions of failure that the government gave to Mr Belhaj and others who we helped to return to be tortured by Gaddafi's government.

The Cameron coalition government gave a firm promise to parliament that it would hold a full independent judge-led inquiry into the subject and indeed appointed Sir Peter Gibson to this task. This was started by Sir Peter but was suspended due to the commencement of various police investigations. Ironically, I personally, as Lord Chancellor and Justice Secretary, with the authority of the then Prime Minister gave the sombre undertaking that this inquiry would be resumed when the police investigations were finished. I have to say I feel somewhat betrayed by the fact that the present government, now that the police inquiries are over, has so far not seen fit to honour that commitment, for reasons that I do not understand.

The government is even refusing to look at the issue of rendition in its review of the Consolidated Guidance to the security services, using arguments which the ISC

describes as 'nonsensical'. I call upon the ministers involved to begin to take this important issue more seriously. The ISC reports make it clear that the government appears indifferent to the question of rendition

These problems do bear on this country's reputation and our role as a defender of the rule of law and ethical standards which we combine with strong and effective defence of our national interest. Now that President Trump has declared that he wishes to return to torture by using waterboarding and a 'hell of a lot worse', it increases the importance of addressing these issues.

The ISC report reveals an incoherent response to ministerial responsibility in different parts of government. The ISC found that in our view, "the UK tolerated actions, and took others that we regard as inexcusable," and has now asked the government "to make clear that ministers cannot lawfully authorise action which they know or believe would result in torture."

These are not small issues which can now be swept under the carpet – and the government must address them urgently. The APPG has been working on these important issues since 2005 and it is more crucial than ever today to finally get to the full truth. The ISC says "we find it astonishing that, given the intense focus on this issue ten years ago, the government has failed to take action." I strongly agree.' [ENDS]

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Note to editors

- Kenneth Clarke is the chairman of the All-Party Parliamentary Group on Extraordinary Rendition (APPG), a cross-party group of MPs and Peers that was founded in 2005. It aims to establish the facts about the scope and scale of UK involvement in rendition, and to reduce the likelihood of recurrence.
- The Intelligence and Security Committee today released two reports: "Detainee Mistreatment and Rendition: 2001-2010" and "Detainee Mistreatment and Rendition: Current Issues."
- A judicial inquiry, headed by Sir Peter Gibson, was originally set up in 2010 to look into issues of rendition and mistreatment of detainees but was brought to a premature halt in 2012, due to new police investigations into British involvement in renditions to Libya, including of Abdul-Hakim Belhaj and Fatima Boudchar. These police investigations concluded in 2016, with the CPS declining to make any charges, despite stating that there was sufficient evidence to support the contention that the suspect [MI6 Chief Sir Mark Allen] had "sought political authority for some of his actions".
- The British Government apologised to Mr Belhaj and Mrs Boudchar on 10 May 2018 for the UK's role in their 2004 abduction, torture, and rendition to Libya.

- Mr Belhaj and Mrs Boudchar had brought a judicial review of the decision of the CPS not to charge Sir Mark Allen in relation to their case, but withdrew their claim for judicial review following the apology by the British government.
- On 4 June 2018, the government, in answer to a written question tabled by Ken Clarke, refused to confirm whether it would ask the ISC to inquire into the Belhaj case, saying only, "The Intelligence and Security Committee sets its own work programme."