



Questionnaire

National Parliaments' activities on alleged CIA activities in European countries

COUNTRY: **United Kingdom**
 CHAMBER: **House of Commons**

1. Was there a special committee formed in your chamber, similar to the one of the EP's Temporary Committee on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners - TDIP?

No (but see section 5C below).

2. Does any other permanent committee of your chamber deal with the matters?

Yes.

<p>Joint Committee on Human Rights (JCHR) See also: <i>Foreign Affairs Committee (FAC) (see section 3 below)</i> <i>Constitutional Affairs Committee (CAC) (see section 5A below)</i></p>
<p>What is its mandate regarding these allegations:</p>
<p>The Joint Committee has, as part of its remit, "matters relating to human rights in the United Kingdom".</p>
<p>MPs involved:</p>
<p>House of Commons members of the Joint Committee are: Mr Andrew Dismore MP (Chair), Mr Douglas Carswell MP, Ms Mary Creagh MP, Dr Evan Harris MP, Mr Dan Norris MP and Mr Richard Shepherd MP. (For Lords members of the Joint Committee, see the House of Lords response)</p>
<p>Outcome and work programme of the permanent committee:</p>
<p>JCHR is currently considering extraordinary renditions as one part of its inquiry into UK compliance with the UN Convention against Torture (UNCAT). The Committee has since announced that it will be looking at extraordinary renditions as part of this inquiry, and has received written evidence on the subject.</p> <p>In respect of the allegations at issue, JCHR's main focus is on the extent to which the Government is under legal obligations, primarily under UNCAT but also under other international human rights treaties including the ECHR, to investigate whether extraordinary renditions are taking place or have taken place using UK airports, and/or to prevent such activities from taking place.</p> <p>JCHR has received evidence that planes known to have been involved in extraordinary renditions have landed at UK airports, but has received no proof that they were carrying detainees at the time.</p> <p>The Committee questioned human rights NGOs on the issue of extraordinary rendition on 21 November 2005 (QQ 66-72). An <u>uncorrected</u> transcript of this evidence is available at http://www.publications.parliament.uk/pa/jt200506/jtselect/jtrights/uc701-i/uc70102.htm</p> <p>The Committee questioned Ministers in the UK Department for Constitutional Affairs on the issue on 6 March 2006 (QQ 165-180). An <u>uncorrected</u> transcript of this evidence is available at http://www.publications.parliament.uk/pa/jt200506/jtselect/jtrights/uc701-iii/uc70102.htm The Committee is likely to seek additional information from the Ministers concerned through correspondence.</p> <p>JCHR expects to issue a report on its UNCAT inquiry as a whole by early May 2006.</p> <p>In addition, the Committee has an ongoing inquiry into Counter-Terrorism Policy and Human Rights. It is possible that the issue of extraordinary rendition may also be examined as part of this inquiry.</p> <p><i>(See section 5A below for similar questioning of a Department for Constitutional Affairs minister on rendition issues by the Constitutional Affairs Committee).</i></p>

3. Which permanent committee in your Chamber supervises intelligence services of your country?

Name:

<p>Foreign Affairs Committee (FAC)</p>
<p>What is its mandate:</p>
<p>To examine the policy, functions and expenditure of the UK Foreign and Commonwealth Office (FCO) and its associated public bodies. The Committee interprets this remit to cover, where appropriate and necessary to its oversight activity, the work of the Secret Intelligence Service (SIS, commonly known as MI6) and Government Communications Headquarters (GCHQ)</p>



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MPs involved:

The members of the present Committee (appointed on 13 July 2005) are:

Mr Mike Gapes MP (Chair), Mr Fabian Hamilton MP, Rt Hon David Heathcoat-Amory MP, Mr John Horam MP, Mr Eric Illsley MP, Mr Paul Keetch MP, Mr Andrew Mackinlay MP, Mr John Maples MP, Ms Sandra Osborne MP, Mr Greg Pope MP, Mr Ken Purchase MP, Sir John Stanley MP, Ms Gisela Stuart MP and Mr Richard Younger-Ross MP.

Outcome and work programme in the area of these allegations:

The Committee, and its predecessor in the 2001–2005 Parliament, have been examining allegations of the UK's involvement in extraordinary rendition activities by the US Government in the context of an ongoing inquiry (dating from November 2001) into the foreign policy aspects of the war against terrorism.

The Committee put detailed questions on allegations of UK Government involvement in extraordinary rendition to the FCO on 25 February 2005:

<http://www.publications.parliament.uk/pa/cm200405/cmselect/cmcaff/36/36we15.htm>

The FCO's response (11 March 2005) is available here:

<http://www.publications.parliament.uk/pa/cm200405/cmselect/cmcaff/36/36we16.htm>

The Committee then reported on the subject in its Sixth Report of Session 2004–05, Foreign Policy Aspects of the War against Terrorism, HC (2004–05) 36, paras 88–98 (March 2005)

<http://www.publications.parliament.uk/pa/cm200405/cmselect/cmcaff/36/3602.htm>

The UK Government responded to this Report in June 2005 (Cm 6590): its specific response to the rendition issues raised by the Committee is to be found on p. 9 (para. 14).

<http://www.fco.gov.uk/Files/kfile/Cm6590.pdf>

NB: The Committee raised detailed questions about rendition issues in its report. The Government responded that "that it is not in a position to respond to all of the questions posed by the Committee without reference to information Parliament has decided is a matter for the Intelligence and Security Committee."

For information on the Intelligence and Security Committee (which is a statutory committee appointed by the Government, and not a committee of the UK Parliament) see section 5B below.

The Committee reported on "extraordinary or irregular rendition" in its First Report of Session 2005–06, on the FCO Annual Report on Human Rights, HC (2005–06) 574, paras. 40–53 (February 2006)

<http://www.publications.parliament.uk/pa/cm200506/cmselect/cmcaff/574/57402.htm>

The UK Government has not yet responded to this report.

The Committee questioned the Foreign Secretary, Rt Hon Jack Straw MP, on extraordinary rendition in the course of an evidence session on Foreign Policy Aspects of the War against Terrorism on 15 March 2006 (QQ 231–241: note the specific question on the TDIP Committee inquiry at Q 241).

An uncorrected transcript of this evidence is available at

<http://www.publications.parliament.uk/pa/cm200506/cmselect/cmcaff/uc573-iv/uc57302.htm>

4. Has your Chamber been involved in other activities relating to these allegations (debate, report, etc.)?

The Foreign Affairs Committee's most recent report on **Foreign Policy Aspects of the War against Terrorism** was debated in the House's Westminster Hall debating chamber on 8 December 2005. Nick Clegg MP referred at length to rendition allegations at col. 347 ff. The debate transcript is available here:

<http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm051208/hallindx/51208-x.htm>

Tony Baldry MP introduced a half-hour adjournment debate entitled "**Torture and Rendition (Government Policy)**" in the House's Westminster Hall debating chamber on 15 February 2006: the debate was answered by FCO Minister for Trade, Ian Pearson MP. The transcript of the debate is available here:

<http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm060215/halltext/60215h05.htm>

The House of Commons Library has compiled a catalogue of **parliamentary questions** (oral and written) concerning the allegations which have been asked in the House of Commons up to and including 20 March 2006, and the responses which have been received. This catalogue (HoC Library Standard Note SN/1A/3973,

dated 27 March 2006) is attached to this response (click to open): 

The House of Commons Library's Standard Note on extraordinary rendition, SN/IA/3816, last updated 23 March

2006, is also attached (click to open): 

Note that House of Commons Library Standard Notes are compiled for the benefit of Members of the House and their personal staff.



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5. Other relevant information

5A. The **Constitutional Affairs Committee**, chaired by Rt Hon Alan Beith MP, questioned the Lord Chancellor and Secretary of State for Constitutional Affairs, Lord Falconer, on matters related to allegations of extraordinary rendition at its meeting on 28 February 2006 (QQ 175-178 and 195-210). An uncorrected transcript of this evidence is available at

<http://www.publications.parliament.uk/pa/cm200506/cmselect/cmconst/uc566-ii/uc56602.htm>

5B. The **Intelligence and Security Committee** (ISC) is a committee of Members of both Houses of Parliament appointed by the Prime Minister under the Intelligence Services Act 1994.

Its remit is the administration, policy and expenditure of the three UK security and intelligence agencies (Security Service, Secret Intelligence Service and Government Communications Headquarters).

Present members of the committee are: Rt Hon Paul Murphy MP (Chairman), Rt Hon Michael Ancram QC DL MP, Rt Hon Alan Beith MP*, Baroness Ramsay of Cartvale, Ben Chapman MP, Rt Hon George Howarth MP, Rt Hon Michael Mates MP, Mr Richard Ottaway MP and Ms Dari Taylor MP.

ISC has "wide access" to the range of intelligence agency activities and to highly classified information, and operates within what the Government terms the "ring of secrecy". It is required to report annually to the Prime Minister on its work. These reports, after any deletions of sensitive material, are placed before Parliament by the Prime Minister.

ISC also provides ad hoc reports to the Prime Minister from time to time.

ISC is supported by a secretariat in the Cabinet Office (a UK Government department) and can employ an investigator to pursue specific matters in greater detail.

Further information on ISC is available on the following UK Government website:

<http://www.cabinetoffice.gov.uk/intelligence/>

The House of Commons has no information on any activities or inquiries being undertaken by the Intelligence and Security Committee into the allegations being investigated by the TDIP Committee.

The TDIP Committee may nevertheless wish to note that the ISC reported briefly on the issue of "ghost prisoners" in its report on The Handling of Detainees by UK Intelligence Personnel in Afghanistan, Guantanamo Bay and Iraq (Cm 6469, March 2005), paras 77 and 78:

<http://www.cabinetoffice.gov.uk/publications/reports/intelligence/treatdetainees.pdf>

The ISC report contained no specific recommendations for the handling of such prisoners, and thus the Government response (Cm 6511, April 2005) did not comment upon them:

<http://www.cabinetoffice.gov.uk/publications/reports/intelligence/govresdetainees.pdf>

The UK National Parliament Office is aware that the Committee's request to the UK Government for cooperation in its inquiry, contained in Mr Coelho's letter to the UK Permanent Representative of 22 February, has been passed to the relevant UK Government officials in the Cabinet Office for transmission to the ISC secretariat.

**-NB: Mr Beith is also Chairman of the Constitutional Affairs Committee: see section 5A above.*

5C. An **All-Party Parliamentary Group on extraordinary rendition** has been formed by members of both Houses. Its chair is Mr Andrew Tyrie MP* and its vice-chair is Mr Chris Mullin MP. Its purpose is "To act as a forum for discussion and analysis of Extraordinary Rendition and related issues." It is not a formal body of either House and receives no support from either House or from their staff.

Details of the group's membership may be found here:

<http://www.publications.parliament.uk/pa/cm/cmparty/060210/memi208.htm>

Details of the group's activities and publications may be found here:

www.extraordinaryrendition.org

**-NB: Mr Tyrie is also a member of the Constitutional Affairs Committee: see section 5A above.*