



Government Response to the
Intelligence and Security
Committee's Report on the
Handling of Detainees by UK
Intelligence Personnel in
Afghanistan, Guantanamo Bay
and Iraq

Presented to Parliament by the Prime Minister
by Command of Her Majesty

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GOVERNMENT RESPONSE TO THE INTELLIGENCE AND SECURITY COMMITTEE'S REPORT ON THE HANDLING OF DETAINEES BY UK INTELLIGENCE PERSONNEL IN AFGHANISTAN, GUANTANAMO BAY AND IRAQ

The Government is grateful for the thorough and measured Report that the Intelligence and Security Committee has produced on this subject. The Report contains five specific recommendations. These are reproduced below (in **bold**, with the Report paragraph reference in parentheses). Each one is followed immediately by the Government's response.

We recommend that, in all future operations in which the UK is involved in armed conflict with another state or with terrorist organisations, Ministers are consulted before staff are deployed to interview detainees held by another country. (Paragraph 117)

The Government believes that Ministers should be consulted whenever intelligence personnel are to be deployed in a situation that is likely to give rise to significant policy or legal sensitivities. The type of operations outlined in the Committee's recommendation will usually fall into this category. However, it might not always be practical to seek Ministerial agreement before commencing interviews – for example, if to do so would result in the loss of an opportunity of operational value.

We recommend that, prior to their deployment, UK intelligence personnel are clearly instructed as to their duties and responsibilities in respect of the treatment of detainees and of the reporting procedures in the event of concerns. (Paragraph 121)

The Government accepts the Committee's recommendation. Procedures are in place to ensure that appropriate instructions are provided in such circumstances.

We have reported that on a number of occasions when UK officials informed the US authorities of their concerns, these were not fully followed up by the UK. All such reports should be followed up by the UK authorities and, so far as it is within their power, fully investigated. (Paragraph 125)

The Government agrees that UK officials should report any concerns arising from detainee interviews to the detaining authority. Further investigation is a matter for the detaining authority, but the Government agrees that, so far as it is within their power, UK officials should try to ascertain the outcome of any such investigation.

Most of the specific incidents described in the Committee's Report were followed up with the US authorities, either in theatre or through intelligence and diplomatic channels, including at Ministerial level.

We recommend that Ministers are informed immediately when any UK official has concerns about the treatment of detainees. (Paragraph 126)

The Government agrees that, whenever officials have reason to believe that allegations of mistreatment of detainees may be well founded, they should report these concerns and Ministers should be alerted.

We recommend that the UK authorities should seek agreement with allies on the methods and standards for the detention, interviewing or interrogation of people detained in future operations. (Paragraph 131)

The Government strongly believes that it is essential to work with allies in the fight against international terrorism. In doing so, the Government will always seek assurances on issues such as the treatment of detainees. But it may not always be possible to reach a formal agreement.

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