



HOUSE OF COMMONS  
LONDON SW1A 0AA

Theresa May MP  
Prime Minister  
10 Downing Street  
London  
SW1A 2AA

23<sup>rd</sup> February 2017

Dear Prime Minister

We are writing, as Chairs and Members of the All Party Parliamentary Group on Drones, to seek your response to three matters that have become increasingly pressing.

First, the Daily Mail has reported today<sup>[1]</sup> that RAF pilots have been 'working their way through a 'Kill List' of key targets' including suspected British jihadists in Syria and Iraq.

The confidential MOD source cited in the report suggests that (i) the kill list is devised and implemented based on the Khan strike 'self-defence' model which is distinct from the coalition mission approved by Parliament (ii) the targets are 'hard to verify' as a matter of practice (iii) there is a reluctance to inform Parliament and (iv) the MOD and UK agencies assist the French with their own lethal targeting operations, in respect of which different legal standards may apply.

The report states that the RAF pilots have been carrying out these targeted killings by operating drones and fighter jets from RAF Waddington, Lincolnshire.

Second, we are aware that in December last year the Intelligence and Security Committee ('ISC') submitted its Report '*UK Lethal Drone Strikes in Syria*' to you for redaction. Given that the ISC review of the non-operational aspects of the Khan drone strike of 21 August 2015 has been held out as the primary form of accountability for that strike, and that some eighteen months has now passed since it occurred, we hope you will be able to authorise the release of the ISC report, obviously redacted as necessary.

Prompt disclosure of the report would appear to be pertinent following recent reports both that the controversial strike may be seen as a model for further targeting, and that

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<sup>[1]</sup> <http://www.dailymail.co.uk/news/article-4251122/Our-pilots-working-way-kill-list-UK-jihadis.html>



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Government agencies may have held back information from the ISC's inquiry.<sup>[2]</sup> We note that the scope of the ISC review has already been limited by the former Prime Minister to exclude operational decision-making and joint targeting. It appears from the ISC's Annual Report that the Committee requested this further information without success.<sup>[3]</sup>

Third, in a speech given on 11 January this year, the Attorney General set out the legal basis in self defence for striking terror targets overseas. He also raised in passing the important question of the role of Parliament in the approval and oversight of the use of lethal force carried out on the basis of self-defence.

You will be aware that your predecessor as Prime Minister relied upon the legal doctrine of self defence for the Khan strike, which occurred before the House had voted in favour of military intervention in Syria. However, in that case, the Government's response to the Report of the Joint Committee on Human Rights, *'The Government's policy on the use of drones for targeted killing'*, stressed that the Government 'is accountable for its actions to Parliament. The Prime Minister reported the airstrike of 21 August 2015 to Parliament at the first available opportunity'.<sup>[4]</sup>

Notably, your Attorney General made no reference to such a commitment in his speech last month. In our view, therefore, there are sound reasons to question whether the oversight role of Parliament and the ISC can be meaningful without the following assurances and information. We invite you to:

1. make a statement responding to the Mail and Times reports cited above;
2. provide an assurance that the Government has and will continue to cooperate with requests for information made by the ISC;
3. disclose a redacted ISC report or provide a proposed release date;
4. disclose a redacted version of the JSP 900 UK Targeting Policy as agreed last year;
5. identify any 'Kill List' targeting since the Khan drone strike in August 2015 by disclosing the name, date and approximate location of such a strike;
6. reaffirm your predecessor's commitment to come to Parliament at the earliest opportunity whenever the Government uses lethal force abroad in self-defence where Parliament has not given prior approval; and
7. update Chapter 5 of the Cabinet Manual to formalise this important safeguard.

We believe that these commitments would have the dual benefit of bringing some welcome clarity in a critical area, as well as helping to strengthen public confidence in the Government's

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[2] <http://www.thetimes.co.uk/article/spies-told-to-come-clean-on-camerons-order-to-kill-ppfnlwddd>

[3] Paragraphs 13-25 of the ISC Annual Report 2015-16

[4]

[http://www.publications.parliament.uk/pa/jt201617/jtselect/jtrightts/747/74702.htm?utm\\_source=747&utm\\_campaign=modulereports&utm\\_medium=fullbullet](http://www.publications.parliament.uk/pa/jt201617/jtselect/jtrightts/747/74702.htm?utm_source=747&utm_campaign=modulereports&utm_medium=fullbullet)



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approach to the use of military force for counterterrorism purposes in the exceptional circumstances when seeking prior Parliamentary consent is not possible.

Finally, could we draw to your attention our APPG Inquiry into the 'Use of Armed Drones: Working with Partners' chaired by former RUSI Director Professor Michael Clarke. We should be pleased to meet with officials if you would like more information about this. We should also very much welcome your making a written submission to inform our Report, if you would like to do so.

We intend to place a copy of this letter and your response in the public domain.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Lucy Powell'.

Lucy Powell MP, Co-Chair APPG Drones  
Kirsten Oswald MP, Co-Chair APPG Drones  
Baroness Stern, Co-Chair APPG Drones  
Lord Hodgson of Astley Abbots  
Lord Macdonald of River Glaven Kt QC  
Clive Lewis MP  
Douglas Chapman MP