



12 March 2012

Mr Michael W. Laphen
Chairman of the Board
Computer Sciences Corporation
3170, Fairview Park Drive
Falls Church
VA 22042
USA

By Post and Fax to +1 703 641 3990

Re: Zero Tolerance for Torture

Dear Mr Laphen,

I am a Legal Director at Reprieve, a UK-based charity that opposes the use of torture as part of the 'war on terror'.

I am writing because the names of your company and several of its employees have surfaced in a recent investigation by Reprieve into the CIA's 'extraordinary rendition' programme, which operated from 2002 until at least 2007.

No doubt you will be aware of the nature of this programme from public reporting, but in brief, this scheme involved the CIA contracting with numerous aviation companies – including operators, planners, service providers and brokers – to transport prisoners to secret sites around the world to be tortured. Regrettably, Computer Sciences Corporation (CSC) appears to have been party to this.

You will recall that this programme was outlawed by President Obama in Executive Order 13451 (22 January 2009).¹ CSC became a part of this programme through its acquisition of DynCorp in March 2003. While under CSC's aegis, documents on file with Reprieve show that DynCorp organized the renditions of several individuals from Thailand to Afghanistan. On 5 December 2002, DynCorp-contracted plane N63MU flew 'high value detainees' Abu Zubaydah and Abd al-Rahim al-Nashiri from Bangkok, via Dubai, to a secret prison in Poland. Between 19 June 2003 and 20 June 2003, DynCorp-contracted plane N614RD, operated by Airborne Inc., flew 'high value detainee' Mohammed Farik bin Amin from Bangkok, via Sri Lanka, to Afghanistan (stopping in both Kabul and Bagram airbase). Between 12 and 15 August 2003, DynCorp-contracted plane N85VM, operated by Richmor Aviation, flew 'high value detainees' Encep Nuraman and Mohammed Nazir bin Lep from Bangkok to Kabul, also via Sri Lanka.

The torture of all of these individuals is described in the International Committee of the Red Cross's Report on the Treatment of Fourteen 'High Value Detainees' in CIA Custody (14

¹ <http://www.whitehouse.gov/the-press-office/ensuring-lawful-interrogations>

Reprieve, PO Box
52742
London UK, EC4P 4WS

T +44 (0)20 7353
4640
F +44 (0) 7353 4641

info@reprieve.org.uk
www.reprieve.org.uk

Chair: Ken MacDonald QC
Patrons: Alan Bennett, Julie Christie, Martha Lane Fox, Gordon Roddick,
Richard Rogers, Ruth Rogers, Jon Snow, Marina Warner and Vivienne
Westwood

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February 2007). You can refer to this document in detail at <http://www.nybooks.com/media/doc/2010/04/22/icrc-report.pdf>. Briefly, however, the report notes that these individuals, and others, were

subjected, in particular during the early stages of their detention, lasting from some days up to several months, to a harsh regime employing a combination of physical and psychological ill-treatment with the aim of obtaining compliance and extracting information. This regime began soon after arrest, and included transfers of detainees to multiple locations, maintenance of the detainees in continuous solitary confinement and incommunicado detention throughout the entire period of their undisclosed detention, and the infliction of further ill-treatment through the use of various methods either individually or in combination, in addition to the deprivation of other basic material requirements.²

During the transfers of these individuals by DynCorp/CSC, they were stripped, dressed in a diaper and tracksuit, goggles and earphones, and had their hands and feet shackled. In the periods of detention to which DynCorp/CSC had transferred them, they were then subjected to a sustained programme of ill-treatment which included prolonged shackling and stress positions, beatings, sleep deprivation, exposure to cold, nakedness, restriction of food, threats and other forms of ill-treatment.

We understand that, before CSC's agreement to sell sections of DynCorp to Veritas Capital Management in December 2004, responsibility for providing services to the CIA's extraordinary rendition, torture and secret detention programme had been taken up by CSC's Enforcement, Security and Intelligence Division. Through this division, CSC continued to provide logistical support for the CIA's illegal programme directly, via contracts S1007312 and S1008117. During the course of these contracts, CSC contracted numerous government missions to CIA "black sites" (unofficial and incommunicado detention centres) in Romania, Morocco, Afghanistan and Lithuania.

To give one further example, documents on file with Reprieve show that CSC organized the flight which transferred the mistakenly imprisoned German citizen Khaled el-Masri from secret detention in Afghanistan to Albania on 28 May 2004. Having belatedly concluded after months of torture and interrogation that they had imprisoned the wrong man, the CIA, acting through CSC, arranged for Richmor Aviation jet N982RK to transfer Mr el-Masri from an Afghan "black site" to a remote roadside in Albania. As he later stated, he found himself "in unfamiliar, mountainous terrain, in the dark, instructed to walk along an isolated path without looking over his shoulder. He said he feared that he was 'about to be shot in the back and left to die,' with nobody having any idea of how he had got there."³

The individuals cited above are only a few of numerous such cases from this sad era. Some prisoners subjected to extraordinary rendition – such as Mr el-Masri – have been released without charge, compensation, or apology. Some are still imprisoned in Guantánamo and Bagram Air Force Base in Afghanistan. Others have vanished entirely.

² ICRC Report, p.4.

³ <http://assembly.coe.int/documents/workingdocs/doc07/edoc11302.pdf> at para. 277.

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The purpose of this letter is not to seek to punish CSC. Nor is it a notice that any of the affected people of whom we are aware are preparing to sue CSC - although this, of course, will ultimately be a matter for each victim. We do not even ask that you admit any wrongdoing by CSC or its employees in connection with the extraordinary rendition programme.

All we ask is that CSC pledge never to be involved in torture in the future.

I have enclosed with this letter a Corporate Social Responsibility (CSR) Pledge, 'Zero Tolerance for Torture', that I am asking you to sign. As you will see, it sets out in plain terms that your company policy shall be henceforth never to condone torture; to monitor CSC's business for consistency with this commitment, and never to engage in any activity where there is a perceivable and realistic risk that torture might result; and to conduct an annual review of your compliance with Zero Tolerance for Torture, to be published prominently on CSC's website.

This is the least CSC should be prepared to do. As Attorney General John Ashcroft himself once said, history will judge the CIA's post-9/11 torture programme harshly. This is a real opportunity for CSC to see to it that the public judge it, and its involvement, in a better light.

I would be grateful for a reply within 14 days.

Very sincerely yours



Cori Crider
Legal Director
Reprive
cori@reprive.org.uk

Enclosures (1)

Cc: cdepippo@csc.com

Reprive, PO Box 52742 London UK, EC4P 4WS	T +44 (0)20 7353 4640 F +44 (0) 7353 4641	info@reprive.org.uk www.reprive.org.uk
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