



12 March 2012

Mr Charles G. Evans
Chairman of the Board
Universal Weather and Aviation, Inc.
8787 Tallyho Rd
Houston
TX 77061
USA

By Post and Fax to +1 713 943 4688

Re: Zero Tolerance for Torture

Dear Mr Evans,

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 flight companies – including operators, planners, contractors, and brokers – to transport prisoners to secret sites around the world to be tortured. Regrettably, Universal Weather and Aviation ('Universal') 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 It is on record that Universal played a significant logistical role in this programme as early as 5 December 2002, when it assisted in organizing the rendition of Abu Zubaydah and Abd al-Rahim al-Nashiri from Thailand to Poland on Gulfstream jet N63MU, operated by First Flight Management. The torture of both 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 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

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

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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, facilitated by Universal, they were stripped, dressed in diapers, goggles and earphones, and had their hands and feet shackled. During detention, they and other individuals were 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.

It is on record that Universal organized almost every element of the transfer to torture of these individuals. Universal organized the necessary overflight permissions which enabled the plane to make its trip. Universal contracted Andaman Aviation Services to organize N63MU's landing in Bangkok, where Mr Zubaydah and Mr al-Nashiri were loaded on to the plane. Universal took care of the navigation and communications fees, and filed the flight plans which the plane needed to complete its mission. Analysis of these plans shows that Universal filed multiple plans to and from different airports, with the apparent intention of disguising the true purpose of N63MU's mission, which was to deposit Mr Zubaydah and Mr al-Nashiri in a secret and illegal prison near Szymany airport in Poland.

Universal played a similar role in the transfer to torture of Mohammed Farik bin Amin from Bangkok to Afghanistan between 19 and 20 June 2003 on N614RD, operated by Airborne Inc. Universal facilitated this flight by taking responsibility for overflight charges, landing charges, navigation fees, permits, catering and lavatory services.

The individuals cited above are only three of numerous such cases from this sad era. Some prisoners subjected to extraordinary rendition 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.

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

All we ask is that Universal 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 henceforth be never to condone torture; to monitor Universal'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

² ICRC Report, p.4.

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review of your compliance with Zero Tolerance for Torture, to be published prominently on Universal's website.

This is the least Universal 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 Universal Weather and Aviation 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



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Enclosures (1)

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