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From: Dolan, JoAnn (SBU)
Sent: Thursday, February 19, 2004 2:47 PM
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Subject: FW: Foreign Sec Doorstep on British Detainees
FYI from FCO via Embassy London

L159

FROM EILEEN FOX FOR RADIO TECHNICAL SERVICES

TRANSCRIPT OF PRESS CONFERENCE
GIVEN BY THE FOREIGN SECRETARY, MR JACK STRAW,
IN LONDON
ON THURSDAY, 19 FEBRUARY 2004

FOREIGN SECRETARY:

Good Afternoon. I am going to make a statement concerning the 9 British citizens detained at Guantanamo Bay. The al Qaeda terrorist attacks on 11 September 2001 killed more than 3,000 people from more than 90 countries, and that included 67 British citizens. This was the most appalling terrorist atrocity which the world has ever seen. In response to those attacks, a coalition of countries came together to launch a military campaign against al Qaeda and its Taliban supporters to remove them from their strongholds in Afghanistan. As a result, individuals believed to be al Qaeda or Taliban fighters, or their supporters, were detained by the coalition forces. The vast majority of these individuals were released, but a number who were deemed to pose a substantial risk of returning to the conflict, were sent by the United States to its detention centre in Guantanamo Bay to be detained and to be questioned about their knowledge of al Qaeda activities. As a result, valuable information has been gained which has helped to protect the international community from further al Qaeda and related terrorist attacks.

The United Kingdom government has been in frequent and regular contact with the United States authorities concerning the 9 British detainees. British officials have visited Guantanamo Bay 6 times to check on the detainees' welfare. We have kept their families and parliament informed. In July 2003, two of the British detainees were designated by the United States authorities as eligible to stand trial by United States Military Commissions being established to deal with the detainees.

The British government has made it clear that it had some concerns about the Military Commission process. Consequently the Prime Minister asked the British Attorney General to discuss with the United States

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authorities how the detainees, if prosecuted, could be assured of fair trials which met international standards. The Attorney General has held a number of discussions with the United States authorities about the future of the detainees. These have been paralleled by discussions with myself and United States Secretary of State Colin Powell, and between British and United States officials. There have been many complex issues of law and security which both governments have had to consider.

Although significant progress has been made, in the Attorney General's view the Military Commissions as presently constituted would not provide the process which we would afford British nationals. Our discussions are continuing.

In the meantime we have agreed with the United States authorities that five of the British detainees will return to the United Kingdom. They are: Ruhai Ahmed, Tareq Dergoul, Jamal al-Harees, Asif Iqbal and Shafiq Rasul. These men will be flown home to the United Kingdom in the next few weeks. Once the detainees are back in the United Kingdom, I understand that the police will consider whether to arrest them under the Terrorism Act 2000 for questioning in connection with possible terrorist activity. Any subsequent action will be a matter for the police and the Crown Prosecution Service, so it would not be right for me to comment any further on this aspect.

We are still discussing with the United States authorities the situation of the other four British detainees. They are: Feroz Abbasi, Moazzam Begg, Richard Belmar and Martin Mubanga. There are a range of security and other issues for which we and the Americans need to consider in respect of these four men. But our position remains that the detainees should either be tried in accordance with international standards, or they should be returned to the United Kingdom.

QUESTION:

Of the British, you said that valuable information was derived from some of the detainees. Was valuable information derived from any of the British detainees and especially the five who are being released?

FOREIGN SECRETARY:

I am afraid I cannot comment on that. As you know, we do not disclose intelligence routinely. But what I can tell you is that overall valuable intelligence has indeed been obtained and this has helped to make the world a safer place in what is a dangerous environment.

QUESTION:

Are these five a danger to Britain?

FOREIGN SECRETARY:

I have just explained that these five are to be returned to the United Kingdom. Whether or not there is any further process is not a matter for me, but a matter for the police initially acting under their powers under the Terrorism Act 2000 as amended, and by the Crown Prosecution Service.

QUESTION:

So were they held improperly in the first place?

FOREIGN SECRETARY:

We fully respect the position of the United States, we fully understand the situation in which not just they, but the whole of the world found itself after 11 September 2001. However, we have had to balance that with our concerns about the process of the Military Commission, and as I have explained, five are now being returned and discussions in respect of the other four continue.

QUESTION:

Why those five in particular and not the other four?

FOREIGN SECRETARY:

Well each situation and each detainee is different, and so we have been able to agree the return in respect of five. Discussions in respect of the other four continue.

QUESTION:

So have the police and the Crown Prosecution Service been given the files and the information that they need to make the judgment on whether or not to arrest or detain those five Britons on their arrival in this country?

FOREIGN SECRETARY:

As you understand John, I am not the Home Secretary, but the police and the Prosecution Service, initially the police, will ensure of course that they are fully informed in advance of the arrival of any of these former detainees.

QUESTION (Guito Harri)

Why did this take so long, when you have ended up with a situation where there is clearly no reason why they can't come back, why did it take so long to establish that?

FOREIGN SECRETARY:

This is a very difficult situation. It is fair to say that it is an entirely unique situation. There had never before been an occasion where a terrorist network was able to develop an attack of the ruthless nature of that which took place on 11 September 2001, and this was not just an attack on the United States, it was an attack on the whole of the civilised world. Sixty-seven British citizens lost their lives on 11 September, and others have lost their lives both before and since 11 September as a result of al Qaeda and related terrorist activity. So a unique and new situation was bound to pose unique challenges to the international community. We respect the position of the United States, we have been involved in lengthy discussions with them. As I said, five detainees have now, we have agreed are going to be returned, and four remain.

(END OF TRANSCRIPT)

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