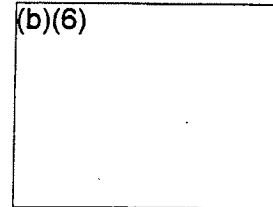


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COPY FOR COLIN POWELL  
FAX 001 202 647 2283



30 July 2003

Paul Wolfowitz  
Deputy Secretary of Defence

fax: 00 1 703 697 7374

Dear Deputy Secretary of Defence,

I am a 29 year old British citizen who is deeply concerned about continuing human rights violations and the violation of international judicial and custody standards perpetrated by the US at Guantanamo Bay.

I call on your Government to repeal the Military Order on the Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism of 13th November 2001. This order is illegal under international law and contradicts UN resolutions ruling that "any measure taken to combat terrorism must be in accordance with international law".

Specifically the military commissions empowered under the order would contravene various international standards including:

- They will lack independence from The Executive almost totally.
- There will be no right of appeal to an independent and impartial court. This is egregious since the commissions can pass death sentences. Under international standards capital cases must be guaranteed fairness by governments, this would include a right of appeal.
- The right to choice of counsel and effective defence is restricted. Without payment only military lawyers will be provided. Defence lawyers will not have access to classified documents that would be pertinent to the defence. Lawyer-client confidentiality is not guaranteed.
- Since US citizens cannot be subject to the Military Order, the Order violates the basic principle prohibiting discrimination based on nationality.

Additionally I deeply regret that now six detainees have actually been named under the Military Order, including Feroz Ali Abbasi, Moazzam Begg, David Hicks and three others who remain incommunicado.

None of these six detainees should be transferred before military commission. Justice will neither be done, nor be seen to be done in commission proceedings.

The six, and all other detainees at Guantanamo Bay, must either be promptly charged with recognizable criminal offences and brought to fair trial under international standards, or immediately and unconditionally released.

I note that deals have been brokered by the UK and Australian administrations to guarantee that the death penalty will not be sought against UK or Australian nationals. Any restriction of the use of judicial killing is good, but I vigorously maintain that no detainee regardless of race or nationality should be subject to the threat or implementation of capital punishment. I oppose to the use of the death penalty under any circumstances - including in cases of terrorism convictions.

In the case of plea arrangements for detainees, which could mitigate against the death penalty, I am deeply concerned that any plea arrangements made will be unfair and viewed with skepticism given the coercive conditions under which detainees have been held over such a prolonged time.

The conduct of the US with regard to Guantanamo Bay is deeply regrettable. It badly undermines the US's claims to be committed to international law. The Military Order, the camp at Guantanamo Bay and the conduct of US personnel at that camp is a disgrace and the height of hypocrisy.

Thank you for your consideration, I look forward to your prompt response.

Yours sincerely,

(b)(6)

CC: Jack Straw (UK)  
John Howard (Aus)  
William Farish  
Colin Powell  
Stephen Timms MP (UK)