

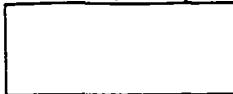
S32A

RELEASED IN PART

B6

B6

Hamah Schlumpf



President George W. Bush
The White House
Washington, DC 20500
USA

30 July 2003

Dear Mr. President

It is with much concern that I have learned that six detainees, among them Feroz Abbasi, Moazzam Begg and David Hicks, have been named under the *Military Order on the Detention, Treatment, and Trial of Certain Non-Citizens in the War Against Terrorism*. The Military Order, allowing for indefinite detention without any charges being brought or a trial taking place, provides only very limited measures to guarantee a fair trial, which is why I strongly appeal to the U.S. government to replace it with regulations more in line with international standards.

I would also like to urgently ask the U.S. government not to bring the six named individuals before a military commission and to rather level recognisably criminal charges against them and try them in a court that respects internationally recognised standards for fair trials including the right to appeal or release them otherwise. Convictions by a military commission will always be received with much more scepticism than those by a civilian court.

Equally, it should be noted that the conditions the detainees were held under, not least the apparently 'indefinite' nature of it and the denial of any contact with legal advisers so far, will most likely cast a shadow over any plea bargains struck with the prosecution.

I am encouraged by the fact that my strong opposition to capital punishment is shared also by the British and Australian governments, but would like take the opportunity and ask for all other national to be exempted from the death penalty as well.

Finally, I want express my fear that the U.S. government's behaviour in this affair might be undermining its claims to be committed to the rule of law.

Thanking you very much for your attention to this serious and important matter, I remain

sincerely yours

H. Schlumpf

Cc.: Colin Powell, Secretary of State, 2201 C Street, N.W., Washington, DC 20520, USA
Embassy of the United States of America, Bruce Armstrong, Public Affairs, Jubiläumsstr. 93,
Case postale, 3001 Bern, Switzerland

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: FRANK E SCHMELZER
DATE/CASE ID: 30 SEP 2004 200303827

1002

VIKTOR SCHLUMPF

30/07 03 MI 18:46 FAX +41 1 4228884

UNCLASSIFIED