

Crock, Jonathan M

Heading: London 928 SENSITIVE BUT UNCLASSIFIED IMMEDIATE

SUBJECT: FURTHER REQUESTS FROM UK LAWYERS FOR ACCESS TO DETAINEES

RELEASED IN PART  
B6, B7(A), B7(C)

REF: STATE 20660

1. (SBU) Summary and Action Request: Ambassador February 8 received a letter from the law firm of [redacted] representing [redacted] who is being detained in Guantanamo (letter faxed to EUR/UBI). The letter requests access to the detainee, a meeting with the Ambassador, and raises a number of legal issues. We have been told by [redacted] that we should expect further similar inquiries from lawyers as well as [redacted] representing the home towns of the detainees. While front-page media attention to detainees has slackened, we anticipate these inquiries will generate another round of critical press stories. Embassy requests further Department guidance to respond to this letter and other expected inquiries. End Summary.

B6, B7(A), B7(C)

B7(A), B7(C)

2. (U) Access -- The letter states that the [redacted] [redacted] has confirmed that [redacted] is in Guantanamo and has been interrogated by [redacted] but that consular access has been denied. The solicitors request immediate access to their client for themselves, for [redacted] for an independent medical expert, and for Ms. [redacted] the mother of the detained.

B7(A), B7(C)

B6, B7(A), B7(C)  
B7(A), B7(C)

B6, B7(A), B7(C)

3. (U) Conditions -- The lawyers raise questions about the conditions in which [redacted] is being held, the lack of access by independent persons and medical experts, and whether he will be afforded a fair trial and, if so, in what jurisdiction. They claim that the lack of any independent access to [redacted] apparently constitutes a "grave breach of international law" and that the USG is laying itself open to serious accusations should any harm befall [redacted] while he is detained in Guantanamo.

B6, B7(A), B7(C)

4. (U) Legal Authority -- The solicitors state they have asked for an opinion from [redacted] on whether the U.S. Government has the lawful authority to detain [redacted] whether his status is that of a prisoner of war or a person detained on suspicion of a crime, on the conditions of his detention, his treatment, and his right to be brought before a Court or other Tribunal.

B6, B7(A), B7(C)

5. (U) Personal Message -- The letter further states that [redacted] mother has not received any personal message from him or information on his medical condition or well being, despite passing a personal message to him through the ICRC. She is said to be "very disturbed" that [redacted] have interrogated [redacted] but no consular access has been allowed.

B6, B7(A), B7(C)

6. (U) The letter closes by stating that the attorney is sending copies of the letter to [redacted]

B6, B7(A), B7(C)

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