

SECRET UK EYES ONLY

SofS

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- you sent this back for further work when Guantanamo Bay was rather more prominent in the news.
- General Lamb has asked for the change.

D/Sec(Iraq)/3/3

10 September 2003

PS/Secretary of State

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ok?

MW



OP TELIC: OPTIONS FOR THE REVIEW OF INTERNMENT


Ref: A: D/Sec(Iraq)/4 dated 14 July 03 - OP TELIC: OPTIONS FOR THE REVIEW OF INTERNMENT

Issue

1. The requirement to establish a procedure for reviewing the status of persons interned by MND(SE).

Recommendations

2. That the Secretary of State:

- a) Note that further to Ref A, MOD officials have explored with the Law Officers' secretariat the implications for UK negotiations on detainees at Guantanamo Bay. The Law Officers' officials do not believe that establishing a review mechanism for UK internees in Iraq as described at Ref A. would have any adverse effect on our negotiations with the US. This is also the view of FCO officials: although the two issues are different, our proposal for Iraq reflects the same concern that we are expressing to the US over Guantanamo Bay, namely that we should conform to relevant international standards
- b) Note that DCA officials agree that, if asked for a formal opinion, the Attorney General would advise that 
- c) Note that the proposed solution would not constrain the freedom of action of GOC 3 Div; indeed it is GOC 3 Div who has requested that this change in procedure be made, urgently.

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