

JUSTICE PRESS RELEASE

JUSTICE
59 Carter Lane
London
EC4V 5AQ
www.justice.org.uk

FOR IMMEDIATE RELEASE 12 DECEMBER 2007

Law Lords hold UK responsible for detention in Iraq

The House of Lords today held that the UK government is responsible for detaining a UK/Iraqi national in Basra without trial.

In October, the government argued that the United Nations is responsible as it was acting under the authorisation of UN Security Council Resolution 1546. However, a 4-1 majority of the House of Lords today held that the UK is responsible. The Law Lords also held that the defendant's right to liberty under Article 5 of the European Convention on Human Rights was "qualified but not displaced" by the Security Council Resolution.

Eric Metcalfe, JUSTICE's Director of Human Rights Policy, said:

Today's ruling shows the government cannot evade its responsibilities in Iraq by hiding behind the UN.

The right to liberty is too important to be bartered away in a session at the Security Council.

For further information, contact Eric Metcalfe work 020 7762 6415 mobile 07939 119 369 or via email to emetcalfe@justice.org.uk

Notes to editors

1. JUSTICE, in a joint intervention with Liberty, argued that Article 5 ECHR was not displaced by UN Security Council Resolution 1546.
2. JUSTICE and Liberty were represented by Professor James Crawford SC (Matrix Chambers), Shaheed Fatima (Balckstone Chambers) and Herbert Smith LLP.
3. A pdf copy of the joint intervention is available on request to emetcalfe@justice.org.uk

Chairman of Council **Lord Goodhart QC** *Director* **Roger Smith**
JUSTICE Registered Charity No 1058580
A company limited by guarantee and registered in England No 3216897 Registered office as above
British Section of the International Commission of Jurists