

Extract from MP's letter to Foreign Secretary of 6 January 2006

“I enclose a copy of an email from my constituent [name withheld].

I would be grateful if you could give this correspondence your attention and send me a reply which I can forward to my constituent.”

Extract from email between FCO and Riyadh of 12 January 2006

“Please see a letter from [MP - name withheld] covering one from [...] constituent, [name withheld] about the former Saudi detainees. I have also attached a scanned copy of a letter from the lawyer Geoffrey Bindman to the Guardian, which you will see is the source of the constituents' enquiry.

Grateful for any comments.”

Extract from email between FCO and Riyadh of 12 January 2006

“Thank you for copying me in. I have comments to offer.”

Extract from email between Riyadh and FCO of 14 January 2006

“Thanks: the drafting of the second para could be tightened (too many "refers" and "clients"). But the substance looks fine.”

Extract from email between FCO and Riyadh of 31 January 2006

“A few issues around the Saudi detainees' cases that I would like to flag up.

As you know, we have pencilled in a meeting for the Minister with Bindmans and Pannones for 6 March. Both companies may wish to bring a few of their clients. I have asked that they keep numbers to a minimum for logistical reasons. However, I think that it would be very difficult to refuse to include the clients. You may recall that all of them traipsed down to London for what they expected to be a joint meeting with B Symons and the FS last March only to be told on arrival that Ministers would not be able to see them. They are still miffed about that.

...and the House of Lords court hearing is fast approaching (scheduled for April).”

Extract from email between FCO and Riyadh of 1 February 2006

“Over-populated meetings never work well. If we start off by saying yes to a handful of extra people early on then we end up with 10+ people by the time the meeting swings around. Therefore, I'd be grateful if we could stick to just Bindmans and Pannones on 6 March please.”

Extract from email between FCO and Riyadh of 1 February 2006

“If you are adamant on this point then I will tell Pannones and Bindmans that they should not include clients. However, they will not be best pleased and I think that it will look pretty shoddy given the way they were treated when they came down last year.

I had already made it clear to Bindmans and Pannones that numbers would be a problem and that they should keep them to a minimum, so they understand this.”

Extract from email between FCO and Riyadh of 8 February 2006

“He did not plan to raise anything that would surprise us, although he did say he would raise the case of Mitchell v al Dali (sp?) and others

So could I please have input by cop Friday 10 Feb as follows:

Mitchell: Consular/APG”

Extract from email between FCO and Riyadh of 9 February 2006

“I note that Mr Baldry says that he intends to raise Mitchell v al Dali. This is a pending House of Lords hearing due in April. It is therefore rendered sub judice. The Minister would not be able to answer questions on this.

In [name withheld]'s absence, I have put in a call to Mr Baldry's office and am waiting for him to get back to me. I propose to explain to him that the case is sub judice.

There may of course be broader questions about the case of the former Saudi detainees case that do not relate directly to the House of Lords and I will work up some briefing accordingly. I will see whether Mr Baldry can tell me what his specific interest in the case is.”

Extract from email between FCO and Riyadh of 15 February 2006

“As you know, Dr Howells is due to see some of the former detainees and their lawyers on 6 March.

I suggest that Dr Howells write to the Saudi Ambassador.”

Extract from email between Riyadh and FCO of 15 February 2006

“I don't think it would do any harm to write to the new Ambassador.”

Extract from email between FCO and Riyadh of 13 March 2006

“I am sorry that I have not yet circulated the record of Dr Howells' 6 March meeting with the former detainees. I am still waiting for PS/Dr Howells to agree the record - he and the Minister have been travelling.

I have not yet had a chance to discuss follow-up action with PS/Dr Howells ... We will need to move very quickly indeed should Dr Howells wish to look again at policy

before the House of Lords hearing (e.g. on the question of DCA intervention before the House of Lords).”

Extract from email between FCO and Riyadh of 20 March 2006

“I think that you have all now seen the incoming letters from Bindmans and Pannones. I also attach the record of Dr Howells' meeting of 6 March with the former detainees.

My own view is though that with or without a press release about the reasons for HMG's intervention, the FCO's commitment to its torture policy will come under some pretty heavy scrutiny around the Lords hearing. I imagine that there will be significant media interest.

For Riyadh/APG: I have asked before whether there would be any mileage in pressing the Saudis further on the compensation matter.”

Extract from emails between FCO and Riyadh of 28 March 2006

“...please find the DCA's reactive lines on the intervention in the Lords. They will not be issuing anything proactively. Please let me know if you have any comments.”

Extract from email between FCO and Riyadh of 28 March 2006

“Thank you to those of you that have commented on the letters from Pannones and Bindmans. I have drafted replies on the assumption that there will be no substantive change in policy.”

Extract from email between FCO and Riyadh of 29 March 2006

“I assume that Dr Howells has not spoken to DCA ministerial colleagues. He had said that he would.”

Extract from email between FCO and Riyadh of 29 March 2006

“His meeting with the Foreign Secretary on this was cancelled so we are trying to reschedule. He wanted to speak to the Foreign Secretary before speaking to DCA colleagues.”

Extract from email between FCO and Riyadh of 12 April 2006

“The House of Lords hearing is scheduled for 25-27 April. I think that there will be extensive media interest around the hearing. Even if the hearing itself only focuses on the issue of State Immunity, I expect the whole range of questions about the FCO's role in the case. I also expect the former detainees themselves to be critical of the FCO handling throughout the case. They were pretty angry when they met Dr Howells last month.

I have drawn up a list of possible Q and As. This is a first stab. I'm sure there could be many others. I'd be grateful for any comments or additions.

The recent experience of a Coroner's Inquest in another consular case suggests that it would be prudent and courteous to let those who have been closely involved in the case know that the hearing is to take place. I do not know whether officials' names will come up during the course of the hearing or be named in the media - but I think it is possible. I could come up with a list of those most closely involved but I am bound to miss someone. Any suggestions from APG and Riyadh would be gratefully received."

Extract from email between Riyadh and FCO of 18 April 2006

"I think HR would have full details of the officials who were involved."

Extract from email between FCO and Riyadh of 19 April 2006

"HR say they have no details of who has been involved. I can come up with a list of names - many being those named in Sandy Mitchell's book. Any names you can think of would be welcome though."

Extract from email between FCO and Riyadh of 19 April 2006

"Wasn't [name withheld] the main person involved? Perhaps it's better if you come up with your list and then everyone adds to it."

Extract from email between FCO and Riyadh of 19 April 2006

"The attached lines take account of views from Riyadh ... I plan to circulate these in final by close of play tomorrow so any further comments before then would be welcome."

Extract from email between FCO and Riyadh of 20 April 2006

"No. [Name withheld] was dealing with Saudi in the 90s.

I have drawn up a list. Additions welcome. I will aim to circulate to those concerned on Monday with the press lines, so grateful for any suggestions for any names from [name withheld] over our weekend."

[List of names withheld]

Extract from email between FCO and Riyadh of 20 April 2006

"The Foreign Secretary agreed in February 2005 that the FCO should support the intervention by the Secretary State for Constitutional Affairs in the appeals to the House of Lords (Ron Jones v Saudi Ministry of the Interior and Others; Mitchell v Ibrahim Al-Dali And Others). The hearing before the House of Lords will take place from 25-27 April.

I attach press lines ahead of the House of Lords hearing. The lines have been agreed with Riyadh, APG, FCO Legal Advisers and DCA Legal Advisers.

I expect there to be significant media interest during the hearing itself. Ministers will therefore wish to be aware of the attached lines.

The judgment is not expected until late June/early July. It is even possible that the judgment will not be delivered until after the summer recess.

FORMER SAUDI DETAINEES - HOUSE OF LORDS HEARING

The House of Lords hearing in relation to civil claims for compensation for alleged torture and mistreatment brought by a number of UK nationals who were detained in Saudi Arabia will take place from 25-27 April. There are two conjoined cases being heard, Ron Jones v Saudi Arabia and Mitchell and others v Al-Dari and others.

Q and As

Q. Why is HMG intervening in this case?

A. HMG, through the Department of Constitutional Affairs, is intervening in the case in order to ensure that the rules of international law on state immunity are fully and accurately presented to the House of Lords. The Government is not intervening to support the Saudi Government, nor to seek to justify the actions of its officials.

Q. But the Government is siding with the Saudi authorities against the legal actions of Messrs Jones, Mitchell, Sampson and Walker?

A. The Government's intervention does not concern the merits of either case, but simply the legal rules on state immunity. HMG's strong position against torture remains unchanged. We consider torture to be an abhorrent practice, which we utterly condemn.

Q. Does HMG accept that the men were tortured whilst in Saudi custody?

A. The FCO is not in a position to conclusively confirm or deny the men's allegations. The men's allegations are very detailed. We have always made clear our concerns about these cases, including their treatment and conditions of detention. We have raised these concerns with the Saudi authorities.

Q. Why has the Government not publicly confirmed that the men were tortured?

A. We are not in a position to confirm or deny the substance of such allegations. Ministers and officials' paramount concern throughout the men's case was the men's welfare. We have always made clear our concerns, including the men's treatment and conditions of detention. We have raised these concerns with the Saudi authorities repeatedly at all levels.

Q. Some of the men have said that the Foreign Secretary acknowledged to them in private that he knew they were innocent?

A. Not prepared to comment on private conversations. However, we are not aware that the Saudis ever brought forward any credible evidence that the men were guilty.

Q. Does the Government agree that torture should not be allowed?

A. The UK vehemently opposes torture as a matter of fundamental principle. Torture is absolutely prohibited in international law and is to be condemned. Since the UK Anti-Torture Initiative was launched in 1998, the FCO has intensified its efforts to combat torture wherever and whenever it occurs.

Q. Why have the FCO not pressed the Saudis to investigate the torture allegations?

A. We have consistently raised our concerns with the Saudis. Their position is that torture in their country is illegal and that any perpetrators would be punished.

Q. Why do the UK authorities not launch an investigation into the men's torture allegations and if necessary seek the extradition of those alleged to have committed the acts of torture?

A. The Saudi Arabian authorities maintain that torture is illegal in their country and that any perpetrators of torture would be punished. Any investigation into the allegations could only be done with the consent of the Saudi Government.

- Questions about possible prosecution in the UK are a matter for the Crown Prosecution Service.

Q. Why does the Government continue to have dealings with the Saudi government?

A. Saudi Arabia is an important member of the international community. We maintain our relationship in support of British interests, including in the fight against international terrorism. Our longstanding relationship enables us to raise issues of concern.

Q. Does HMG put its commercial relationship ahead of human rights concerns?

A. No. It is true that Saudi Arabia is an important trading partner. Indeed we have a close relationship with Saudi Arabia across the board. Our commercial relationship is one aspect of that. However, that relationship does not reduce our commitment to human rights, or prevent us from raising difficult issues with the Saudi authorities.

Q. What political pressure has the British Government exerted on the Saudis?

A. We consistently raised the men's allegations of torture with the Saudi authorities. We have asked the Saudis to consider discussing an out-of-court settlement with the men's lawyers.

Q. How do you respond to the men's claim that the FCO has not done anything to support them?

A. We are sorry if any of the men do not feel that they have received sufficient support from the Government. Our objective was always to help them.

Q. Isn't it the case that the Saudis simply ignore any representations made by the British government on the men's cases e.g. on compensation?

A. No. The Saudis have always responded to our enquiries. As a sovereign state, Saudi Arabia will of course always make their own decisions but they have always been aware of our views.

Q. How do you respond to the allegations made by some of the former detainees that British diplomats 'ordered' the bombings for which the men were arrested?

A. These allegations were thoroughly investigated by the Metropolitan Police and found to be baseless.

Q. Is it true that those FCO officials have been promoted as a result of this case?

A. Not prepared to comment on staff matters.

Q. Why were the families advised not to publicise the men's cases during their detention?

A. Decisions on whether to speak to the media are for the families to take. However, we judged at the time that media publicity would not have helped secure the men's release, which was always the primary objective.

BACKGROUND:

The hearing before the House of Lords joins two cases:

Ron Jones v Saudi Ministry of the Interior AND Sandy Mitchell v Ibrahim Al-Dali and Others (the Mitchell case includes William Sampson and Leslie Walker).

Ron Jones is a British national previously detained in Saudi Arabia. He alleges that he was seriously mistreated before his release and has brought civil proceedings against the Saudi government for compensation in relation to his detention and his allegations of torture and mistreatment. Alexander (Sandy) Mitchell, Leslie Walker and Dr William Sampson (dual Canadian/British national) also brought a legal action in the UK for compensation against five named individual Saudi officials. At first instance, the applications were dismissed by the High Court on the basis that both the Saudi State and the state officials were entitled to immunity from civil proceedings under the State Immunity Act (SIA) 1978. The claimants appealed to the Court of Appeal and the cases were heard together in May 2004. HMG (DCA) intervened in the case before the Court of Appeal.

On 28 October 2004, the Court of Appeal handed down its judgment in the Jones and Mitchell cases. The judgment confirmed that a foreign state itself (in this case the Saudi Ministry of the Interior) enjoys immunity under international law and the SIA in respect of civil proceedings for torture. However, there is no "blanket immunity"

for foreign state officials in respect of civil proceedings for torture under the SIA and international law.

At the hearing on 28 October, Ron Jones sought permission to appeal to the House of Lords against the decision regarding the Saudi Ministry of the Interior, and the Saudi Government sought permission to appeal on the state officials issue. The Secretary of State for Constitutional Affairs sought and was granted permission to intervene in the hearing.

Since about late 2004, FCO Ministers have been pressing the Saudis to consider an out-of-court settlement with the former detainees.

The "former detainees" are very critical of HMG's intervention in the House of Lords hearing and claim that HMG are siding with torturers. They are also critical of the FCO's reluctance to publicly acknowledge their innocence (all of the former detainees were accused of being involved in bombings in Saudi Arabia) or to state publicly that we believe they were tortured.

The men frequently claim that HMG places its commercial and defence relationship with the Saudis ahead of their cases.

Consular Directorate
April 2006"

Extract from email between FCO and Riyadh of 8 June 2006

"Quite but given our policy on not commenting on guilt/innocence, we surely have to remain in implicit mode?"

Extract from email between FCO and Riyadh of 14 June 2006

"You and copy addressees might like to be aware that Dr Howells gave a briefing to Arab journalists this morning. Towards the end of the briefing, he was asked about the HoL ruling.

He said:

"I very much hope that the Saudi Government will give a proper out-of-court settlement. We have gone on and on at the Saudis about this. These were good workers; innocent people. I hope the Saudis will settle out of court to give them some compensation for the trauma they have suffered."

There are two points here: first he said that we had asked the Saudi Govt to give them compensation; second that these were innocent people - something we have not said before."

Extract from egram from Riyadh to FCO of 15 June 2006

"On 15 June, most Saudi newspapers carried prominent coverage of the Law Lords' judgement on 14 June, to overturn a previous Court of Appeal ruling in favour of the

Saudis in two cases brought by the former detainees alleging torture while in detention in Saudi Arabia. Coverage is factual and taken mainly from the agencies.

The press extensively quote a statement by the Saudi Ambassador in London, that "The principles are well entrenched in British law and as such the judgement of the House of Lords does not come as a surprise in a country known for its fair legal system and respect for the rule of law." It also quotes an Embassy press release that "This important judgement serves the interests of the international community and it respects the right of every legitimate sovereign state to govern within its own borders, free from civil suit in the domestic courts of another state. Today's decision is in accordance with accepted principles of internal law and is consistent with the position taken by the Kingdom since these claims were first made." The British government is reported to have backed the Saudi case. The Prime Minister is quoted as saying that Britain had to intervene to uphold international law and the principle of state immunity.

The Law Lords' decision was also reported factually on the pan-Arab satellite channels.

We have so far found only one reference to Dr Howells' comments on the case in the briefing that he gave to Arab media in London on 14 June. Al Hayat reported the Minister as having called on the Saudi government to quickly offer compensation to the former detainees."

Extract from email between FCO and Riyadh of 20 June 2006

"I'll need to submit to the FS soon on the question of a meeting but we need a strategy on where we are going with this - the FS would need to explain the realities and difficulties of raising the matter too forcefully and tell them what we had done and propose to do, and take a good deal of flak. In the meantime, how do others feel about the idea of Dr Howells writing to ... the ... men... to tell them what the Minister has done since the House of Lords judgment?"

Extract from email between FCO and Riyadh of 20 June 2006

"I said that there was no decision on a meeting with the FS yet. I added that this was because we had not yet asked the FS for a mtg. I wanted to consult others before the FS considers a meeting to be clear about what we might do to help next. I mentioned that Dr Howells had already spoken to the Saudi Ambassador.

Whilst I recognise the realpolitik considerations to be factored into any follow-up action ..., our position must look pretty spineless to the former detainees. The other former detainees have always engaged with HMG through their lawyers. I think we can be fairly sure though that all the other men share [name withheld]'s anger and desperation. We need to do something soon to reassure them that we do want to help them. So my instinct is to recommend a meeting with the FS."

Extract from email between FCO and Riyadh of 20 June 2006

“I suggest that once you have consulted with others on this issue, you submit through this office to the FS. Dr Howells would then consider all the arguments and assess the risks involved before feeding in his views on any meeting at that stage.”

Extract from email between Riyadh and FCO of 20 June 2006

“I agree that we should recommend that the FS meet the men.”

Extract from email between FCO and Riyadh of 21 June 2006

“I have now re-cast my submission on the request for a meeting with the FS. The other seven have now heard about [name withheld]'s request for a meeting and would like a similar meeting.”

Extract from email between Riyadh and FCO of 25 June 2006

“As I have already said, I agree that we should agree to a meeting, for which I think there was a precedent last year.”

Extract from email between FCO and Riyadh of 26 June 2006

“Latest version with [name withheld]'s amendments.

I'd like to put this up tomorrow if at all possible.”

Extract from minute between FCO and Riyadh of 29 June 2006

“Dr Howells has seen [name withheld]'s submission of 27 June about the former Saudi detainees' request for a meeting with the FS.

As noted in the submission, Dr Howells has met all of the men within the last 8 months.

He understands that it is for the Foreign Secretary to decide whether to offer a meeting...”

Extract from email between FCO and Riyadh of 6 July 2006

“The Foreign Secretary was grateful for your submission of 27 June and has agreed to meet with the former Saudi detainees.”

Extract from email between FCO and Riyadh of 13 July 2006

“We have been asked to provide a response to the FAC's recommendation on the former Saudi detainees in their Sixth report on the Foreign Policy Aspects of the War Against Terrorism - para 140.

I have drafted a response (underneath the FAC's original recommendation)... You will note that I refer to the memorandum prepared for the FCO in October 2003.”

Extract from email between FCO and Riyadh of 27 July 2006

“You will recall that the FS has agreed to meet the former detainees...

I assume that I can still press ahead with the meeting arrangements? I am under pressure to pin down a date for mid-September. I plan to submit again before the meeting with advice on how this latest development affects our handling of the case.”

Extract from email between FCO and Riyadh of 27 July 2006

“We spoke and agreed that I would press ahead with making the arrangements for a mid-September meeting but that I would submit in time for the FS's return at the beginning of September to update on the latest developments.”

Extract from email between FCO and Riyadh of 28 July 2006

“Dates have already been offered (though we are now probably looking at November) and it would be difficult to withdraw the offer now. I will prepare a submission for the FS's return in early September (which I will of course clear with you) with frank advice on where this leaves us in terms of the message to be delivered to the men.”

Extract from email between FCO and Riyadh of 31 July 2006

“We have more time now given that diary constraints mean that we will probably be looking at a date in November for the meeting.

I am copying to [name withheld] to see if [...] has a view.

Extract from internal FCO email of 31 July 2006

I ran these emails past [names withheld]. [Name withheld] thinks that Consular might be better off breaking the news to the men before they see the SofS. I can see benefits either way. Is this something to run past [name withheld] and include in the submission?”

Extract from email between FCO and Riyadh of 31 July 2006

“... our contribution on the former detainees - cleared with Riyadh.

**FAC REPORT ON FOREIGN POLICY ASPECTS OF THE WAR AGAINST
TERRORISM**

FORMER SAUDI DETAINEES

140. At the time of concluding the drafting of our Report, the United Kingdom's courts had just determined that the Saudi Arabian government is immune, in international law, from being pursued in UK courts in relation to the unjustified detention and alleged torture of British citizens. We recommend that the British Government disclose what it knows about this grave incident and what representations it made on behalf of the British nationals.

In October 2003, the Government provided the FAC with a memorandum on services provided to the British nationals formerly detained in Saudi Arabia. That set out the Government's concerns about the men's detention, and described the Government's repeated and vigorous representations to the Saudi authorities during the men's detentions. Since the men's release, the Government has continued to discuss the men's case with the Saudi authorities. Some of the men sought to make claims through the British Courts for damages against the Saudi State and against named Saudi officials. The case went as far as the House of Lords which led to the judgment on 14 June that both the State and individuals representing the State were covered by the State Immunity Act of 1978 and that the men could not pursue their claims through the British courts. The Government will continue to provide whatever assistance it properly can to the former detainees and their families. The Foreign Secretary has agreed to meet the former detainees to discuss the case."

Extract from email between Jeddah and FCO of 2 August 2006

"You asked for advice on the meeting between the Foreign Secretary and the detainees.

I am sure that, having promised, Mrs Beckett must see the detainees: it would be quite wrong to back out, just because we don't have an encouraging message. She should be briefed to want the meeting to listen to their case. She should tell them that we'll have raised the case, and got no joy.

I am leaving Jeddah shortly ... let me know if you need more."

Extract from email between FCO and Riyadh of 15 August 2006

"Sandy Mitchell has written to Kim Howells again. There is very little to add to what we have previously said. Any comments on the draft reply?"

Extract from email between FCO and Riyadh of 6 September 2006

"Wretchedly cautious, but I've toned down ... travel plan comments because of private office sensitivity about FS travel plans in Nov and Dec, i.e. not wanting to be committed to anything."

Extract from FCO submission of 13 September 2006

"ISSUE

We need to decide how to deliver difficult messages to the men.

TIMING

Routine - The meeting with the former detainees is now scheduled for 9 November.

PARLIAMENTARY AND MEDIA

The longer the case goes on without the Saudis offering a financial settlement, the more likely that the men will make representations through parliament. The message that the Saudis are unlikely to agree to compensation in current circumstances will trigger increased parliamentary interest.

The former detainees are likely to use the media to criticise what they see as HMG's softly, softly and ineffective approach with the Saudis.

RISKS

The former detainees will be angry and disappointed to hear bad news however it is delivered. Much of their unhappiness will be directed at the FCO.”

Extract from email between FCO and Riyadh of 7 November 2006

Press lines have been updated and will be circulated separately.

FORMER SAUDI DETAINEES - PRESS LINES

The Foreign Secretary is to meet 7 of the so-called former Saudi detainees and their lawyers on 9 November. The meeting has been arranged in response to a request by the former detainees.

Q and As

Q. Why has the FCO not done more to help these men?

A. HMG worked very hard to press for the men's release during their detention in Saudi Arabia. Since their release, we have repeatedly asked the Saudis to consider an out of court settlement. But we cannot force the Saudis to do this.

Q. Is it true that the FCO have now given up on the men?

A. No. We hope that the Saudi Government will eventually agree to their lawyers meeting those of the men to discuss the possibility of a financial settlement. But this is ultimately a matter for the Saudi authorities.

Q. But what is HMG going to do now?

A. We will continue to look at how we might usefully raise their case with the Saudis.

Q. But your strategy of following the course of behind the scenes representations has not worked?

A. We are disappointed that the Saudi authorities have not felt able to come to an arrangement with the men. But we recognise that we cannot insist on or force a sovereign nation into taking a certain course of action on individual cases.

Q. How do you respond to the criticism that HMG's position on this case is inconsistent with the wider public statements that it makes on human rights issues?

A. There are no quick and easy fixes when it comes to promoting human rights. But our public position is very clear and we attach significant importance to eradicating human rights abuses.

Q. Why did HMG intervene in the House of Lords case?

A. HMG, through the Department of Constitutional Affairs, intervened in the case in order to ensure that the rules of international law on state immunity were fully and accurately presented to the House of Lords. The Government did not intervene to support the Saudi Government, nor to seek to justify the actions of its officials.

Q. But the Government sided with the Saudi authorities against the legal actions of the former detainees?

A. No: The Government's intervention did not concern the merits of the men's case, but simply the legal rules on state immunity. HMG's strong position against torture remains unchanged. We consider torture to be an abhorrent practice, which we utterly condemn.

Q. Does HMG accept that the men were tortured whilst in Saudi custody?

A. The FCO is not in a position to conclusively confirm or deny the men's allegations. The men's allegations are very detailed. We have always made clear our concerns about these cases, including their treatment and conditions of detention. We have raised these concerns with the Saudi authorities.

Q. Some of the men have said that the previous Foreign Secretary acknowledged to them in private that he knew they were innocent?

A. Not prepared to comment on private conversations. However, we are not aware that the Saudis ever brought forward any credible evidence that the men were guilty.

Q: Does the Government agree that torture should not be allowed?

A. The UK unreservedly condemns torture as a matter of fundamental principle. Its prohibition is absolute. International action against torture has been a priority for the government since the launch of the UK Anti-Torture Initiative in 1998. This includes efforts to strengthen UN and other international mechanisms, diplomatic activity such as lobbying, and funding concrete project work. We continue to work hard with our international partners to eradicate this abhorrent practice.

Q. Why have the FCO not pressed the Saudis to investigate the torture allegations?

A. We have consistently raised our concerns with the Saudis. Their position is that torture in their country is illegal and that any perpetrators would be punished.

Q. Why do the UK authorities not launch an investigation into the men's torture allegations and if necessary seek the extradition of those alleged to have committed the acts of torture?

A. The Saudi Arabian authorities maintain that torture is illegal in their country and that any perpetrators of torture would be punished. Any investigation into the allegations could only be done with the consent of the Saudi Government.

- Questions about possible prosecution in the UK are a matter for the Crown Prosecution Service.

Q. Why does the Government continue to have dealings with the Saudi government?

A. Saudi Arabia is an important member of the international community. We value our close, wide ranging relationship with them, which helps British interests, including in the fight against international terrorism. Our longstanding relationship enables us to raise issues of concern. There are also large numbers of British nationals still working in the kingdom. We need to be in a position to be able to provide them with the support of an embassy.

Q. Does HMG put its commercial/defence relationship ahead of human rights issues?

A. No. It is true that Saudi Arabia is an important trading partner. Indeed we have a close relationship with Saudi Arabia across the board. Our commercial relationship is one aspect of that. However, that relationship does not reduce our commitment to human rights, or prevent us from raising difficult issues with the Saudi authorities. The recently launched FCO Annual Human Rights Report makes clear that we believe that there is still serious cause for concern about [text ends in original]

Q. What political pressure has the British Government exerted on the Saudis?

A. We consistently raised the men's allegations of torture with the Saudi authorities. We have asked the Saudis to consider discussing an out-of-court settlement with the men's lawyers.

Q. How do you respond to the men's claim that the FCO has not done anything to support them?

A. We are sorry if any of the men do not feel that they have received sufficient support from the Government. Our objective has always been to help them.

Q. Isn't it the case that the Saudis simply ignore any representations made by the British government on the men's cases e.g. on compensation?

A. No. The Saudis have always responded to our enquiries. As sovereign state, Saudi Arabia will of course always make their own decisions but they have always been aware of our views.

Q. How do you respond to the allegations made by some of the former detainees that British diplomats 'ordered' the bombings for which the men were arrested?

A. These allegations were thoroughly investigated by the Metropolitan Police and

found to be baseless.

Q. Is it true that those FCO officials have been promoted as a result of this case?

A. Not prepared to comment on staff matters.

Q. Why were the families advised not to publicise the men's cases during their detention?

A. Decisions on whether to speak to the media are for the families to take. However, we judged at the time that media publicity would not have helped secure the men's release, which was always the primary objective.

BACKGROUND:

The so-called "former Saudi detainees" lived and worked in Saudi Arabia. They were all arrested at various stages during 2000 and 2001 accused of either involvement in bombings and/or connections with the illegal alcohol trade. Some of the men were held for over two years. Some of them later confessed on Saudi television to the crimes that they were alleged to have committed. When the men were released, all alleged that they had been systematically tortured and that confessions had been extracted from them under duress. The Parker Institute corroborated the men's allegations that they were tortured.

Some of the men sought to make claims through the British Courts for damages against the Saudi State and against named Saudi officials. The case went as far as the House of Lords which led to the judgment on 14 June that both the State and individuals representing the State were covered by the State Immunity Act of 1978 and that the men could not pursue their claims through the British courts.

Consular Directorate
November 2006"

Extract from email between FCO and Riyadh of 14 November 2006

"- HMG takes its consular responsibilities to British nationals very seriously. It is our policy to do what we appropriately can to assist British nationals who experience difficulties abroad.

- HMG takes no position on the substance of the allegations of torture made by the men. It would not be appropriate to offer a view on a matter on which we are not technically competent to form a judgement.

- Saudi Arabia will already be fully aware of our concern that trial process that these men faced did not meet international standards."

Extract from email between FCO and Riyadh of 15 November 2006

- HMG takes its consular responsibilities to British nationals very seriously. It is our

policy to do what we appropriately can to assist British nationals who experience difficulties abroad.

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- Saudi Arabia will already be fully aware of our concern that trial process that these men faced did not meet international standards.”

Extract from email between FCO and Riyadh of 24 November 2006

I've kept the background short. The FS will have had two recent meetings on this matter so will be familiar with the issues.

Background:

The Foreign Secretary has had two recent meetings with the former Saudi detainees (...and a separate meeting with the other former detainees).

At those meetings, the Foreign Secretary said that she would look for suitable opportunities to raise the matter of compensation for the detainees but that she would only do so should she judge that action might be effective.”

Extract from email between FCO and Riyadh of 27 November 2006

Background:

The Foreign Secretary has had two recent meetings with the former Saudi detainees (... and a separate meeting with the other former detainees).

At those meetings, the Foreign Secretary said that she would look for suitable opportunities to raise the matter of compensation for the detainees but that she would only do so should she judge that action might be effective.”

END OF DIGEST