

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 t“

“If you are adamant on this point then I will tell

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

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 n

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.

for foreign state officials in respect of civil pro

“I suggest that once you have consulted with others on this issue, you submit through

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

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 Saudis13.08 Td [(t)-8.73357(r)3.78731(i)1.886

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. 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 that the men's claim that the FCO has not done anything to support them is correct.

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.”

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