

JUSTICE PRESS RELEASE

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Law Lords to decide if Security Council Resolution overrides human rights in Iraq

On Monday 29 October, the House of Lords will begin a three-day hearing of an appeal from a dual Iraqi/UK national who is being detained indefinitely by British forces in southern Iraq.

Although the House of Lords ruled in July that the Human Rights Act applies to people held in UK military custody overseas, the government has claimed that UN Security Council Resolution 1546 gives it authority to impose indefinite detention on suspects in Iraq in order to maintain national security there. In particular, the government argues that the Security Council Resolution overrides the UK's obligations under the European Convention on Human Rights ('ECHR').

JUSTICE and Liberty have been granted permission by the Law Lords to intervene jointly in the case, arguing that UN Security Council resolution 1546 does not override basic human rights standards, nor does it permit the UK government to hold suspects in military custody contrary to Article 5 ECHR.

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

The fig leaf of UN authority cannot be used to deny basic due process to those held in UK custody in Iraq.

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

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Notes to editors

1. The case of *Al Jedda v Secretary of State for Defence* will be heard by the Appellate Committee of the House of Lords from 29 to 31 October.
2. JUSTICE and Liberty are represented in the House of Lords by Professor James Crawford SC of Matrix Chambers, Shaheed Fatima of Blackstone Chambers, and Herbert Smith LLP.
3. A pdf copy of JUSTICE and Liberty's written case is attached.