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No passports for Guantanamo pair

The government has written to two of the British men freed from Guantanamo Bay telling them they will not be allowed passports, the BBC has learned.

BBC News
February 15, 2005

A letter sent to Martin Mubanga said his British passport would not be issued in the light of evidence gathered against him by the US.

This suggested he was likely to take part in action against UK or allied targets if he left Britain, it said.

An identical letter has been sent to Feroz Abbasi, the men's solicitor says.

Royal Prerogative

It is not known whether the other two men released from the Cuba detention camp in January - Richard Belmar and Moazzam Begg - have also received letters.

The government is implementing the rarely used Royal Prerogative in order to withdraw the men's passports.

It is only the 13th time the power has been used since 1947 - the last time was in 1976.

The letter, from the Home Office, says the home secretary has the power to refuse passport facilities under the Royal Prerogative if past or proposed activities were so demonstrably undesirable that the granting of a passport would be contrary to the public interest.

It says: "I am writing to inform you that on the basis of the information which has come to light during your detention by the United States, the home secretary considered that there are strong grounds for believing that, on leaving the United Kingdom, you would take part in activities against the United Kingdom, or allied targets.

"He therefore decided, on the 24th of January, to withdraw your passport facilities for the time being.

"He further considered that the removal of passport facilities and preventing you from leaving the UK, is a proportionate measure."

The Home Office said the home secretary had the discretion to withhold or withdraw passport facilities under certain conditions.

"Every case is considered on its own merit, but obviously I cannot comment on these individual cases," a spokesman said.

The Liberal Democrats say they suspect the move is part of a package of security measures agreed with the US in order for the men to be allowed home from Guantanamo Bay.

Home Affairs spokesman Mark Oaten told BBC News: "I would be extremely concerned if the home secretary has taken this decision based on some promise given to America.

"We were told that there were no conditions. If it now emerges there were conditions, this raises serious questions.

"Surely the home secretary should take this decision himself - not as part of a promise to appease the Bush administration.

"But if he has based it on evidence, we want absolute, categoric assurances that the evidence he has based it on was not gained from Guantanamo Bay under torture...."

He added: "The power should only be used in absolute extreme circumstances and I find it hard to believe that these conditions have been met this time."

He said the move also raised complex questions about the use of the Royal Prerogative.

The Liberal Democrats have promised to raise the issue in Parliament.

Torture claims

The men's solicitor, Louise Christian, has also raised questions about whether the evidence was gathered through torture.

But the Pentagon told BBC News US policy "condemns and prohibits" torture and said there was no evidence that any British detainee was tortured or abused.

It said al-Qaeda training manuals emphasised the tactic of making false abuse claims.

An internal US inquiry is under way into allegations of abuse of Guantanamo Bay detainees.

Mr Abbasi, 23, from Croydon, south London, was taken to Guantanamo Bay after being captured in Afghanistan in 2001.

Mr Mubanga, 29, from north London, was originally detained in Zambia.