

~~CONFIDENTIAL~~  
~~NZ EYES ONLY~~

C10000241-LON

**ACTION**

Your Reference:

Our Reference:

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FROM: London C10000241- 17/08/2010 09:38  
LON p.m. LON

TO: Wellington Immediate

CC: Brussels, Canberra, Defence, Routine  
Washington, Kabul, New York, Ottawa,  
The Hague, NAB, Match NZSIS

MFAT: ISED, MEA, LGL, CEO, DS MLG, *es*  
AIDGLO, UNHC, AMER, AUS, EUR, DS  
APEG

AGENCIES: SEEMail:  
Manual: Defence HQNZDF (Riordan, ), Defence MOD  
(PSR(IC)3)

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RE (C10004214-WLN): AFGHANISTAN/DETAINEES: UK HIGH COURT RULING AND IMPLICATIONS FOR NEW ZEALAND

**Summary**

We seek FCO and MOD views on the June UK High Court ruling on detainee transfers in Afghanistan ; background and issues behind the UK 's moratorium on transferring detainees to the NDS "Department 17" facility in Kabul ; UK views on the Pol-i-Charki prison in Kabul ; and information on UK processes for detainee monitoring.

**Message**

**Action**

For information. Please note paragraph 30.

**Report**

We (Counsellor (Political) and Military Advisor, NZDS) called today on PSR(R)1  
Afghanistan Group, FCO) and PSR(R)1  
Ministry of Defence) to discuss the  
issues raised in your reftel.

**Background on UK Moratorium**

2 PSR(R)1 confirmed that the UK 's moratorium on transferring detainees to the NDS at the "Department 17" facility in Kabul remained in place. PSR(R)1 stressed that it was important to note that this moratorium was self-imposed, and had been introduced before the High Court's June judgement on the Judicial Review (JR) into detainees had been delivered.

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Possible Implications for New Zealand

29 In terms of possible implications for New Zealand , PSR(R)1 was only willing to offer a personal comment. PSR(C)1

**Comment**

30 PSR(C)1

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