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Law Lords rule against 9-11 law Time for governments' review of preventive detention

"Yesterday's ruling of the Law Lords is a landmark for human rights and the rule of law", says ICJ Secretary General, Nicholas Howen. "The ICJ calls on the UK Government to implement the ruling as a matter of urgency and repeal the counter-terrorism law that allows indefinite preventive detention."

"The ruling should send a clear message to other Governments, that they should review and repeal laws that allow for forms of prolonged preventive detention without charge or trial," added Nicholas Howen.

While the overwhelming majority of the Law Lords accepted that there was a terrorist threat to the UK they found indefinite detention of foreign terrorist suspects to be disproportionate and discriminatory. The ruling confirms, that even in exceptional circumstances and even if supervised by courts, it is not acceptable to hold anyone in open-ended detention without trial. "The House of Lords have shown how important it is for courts in a democratic state to scrutinize counter-terrorism measures for their compliance with the rule of law."

"The ruling of the House of Lords is a powerful statement, that the fight against terrorist threats must not lead to discriminatory justice systems with a two track system for foreigners and for citizens of a state. Following September 11, many Governments have reverted to measures with discriminatory tendencies. It is now time for Government to rethink and overhaul counter-terrorism measures that are discriminatory in fact or impact."

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The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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