

Action Alert: A Public Independent Inquiry must be Held into the Full Extent of British Involvement in Extraordinary Rendition

Background to “Extraordinary Rendition”:

“Extraordinary rendition” is the illegal CIA programme of kidnapping individuals in one country and flying them to another country or countries to be tortured. The CIA alleges that it is an intelligence-gathering exercise, yet the use of evidence obtained through torture is banned in most countries. Torture is banned completely under international law and is not allowed under any circumstance anywhere in the world.

The CIA has admitted to “rendering” over 30,000 men, women and children who just “disappear” off the face of the Earth. The actual number may be far higher. Countries all over the world, in all continents, have been involved in the programme, either through sharing intelligence used in the programme, allowing “rendition” flights to stop over, refuel on or fly over their territories, assisting in torture directly or handing over individuals to be “rendered”. The UK is involved too.

The Foreign Office has repeatedly stated that it does not condone the use of torture. The Foreign Secretary recently described the rule of law, whereby all are equal before the law, as the “cornerstone” of a democratic society. “Extraordinary rendition” and its components – kidnap and torture – greatly undermine this foundation and other vital factors for healthy democracy and lawful action: transparency and fairness.

In recent years, the government has prevented anyone with evidence from speaking out, including a former ambassador and armed forces personnel. There is little doubt that the UK government has been involved in illegal activity and must come clean about the full extent of its involvement in criminal activity at home and abroad.

Admissions and allegations of UK involvement:

- In February 2008, the foreign secretary, David Miliband, admitted that two flights carrying detainees en route to Guantánamo Bay stopped off to refuel at the military based on the British-administered island of Diego Garcia in the Indian Ocean.
- Further allegations have been made of flights stopping at Diego Garcia, the Turks and Caicos Islands in the Caribbean as well as airports on the UK mainland, including Gatwick, Prestwick and Luton. Investigations into this have been limited in scope and inconclusive.
- Through a High Court case brought by lawyers acting on his behalf, allegations emerged in 2008 of the collusion between British and American Intelligence in the torture and rendition of British resident Binyam Mohamed in 2002-2004 in Pakistan, Morocco and Afghanistan. Mr. Mohamed was subsequently held in Guantánamo Bay until he was released in February 2009.
- His torture included being beaten, threatened with rape, his body, including his genitals, were slashed repeatedly with a knife, being subjected to a mock execution and sensory and sleep deprivation.
- There is no longer any doubt that British agents were involved, yet the government lied to the High Court judges in this case, claiming they had been bullied by the US into

secrecy. These documents include recent allegations of MI5 telegrams asking for specific questions about certain individuals to be put to Mr. Mohamed while being tortured.

- This case was referred to the office of the Attorney General, Baroness Scotland, last year for investigation and possible criminal prosecution. She has referred the evidence she has been given to the Director of Public Prosecutions. The Parliamentary Intelligence and Security Committee has also reopened its investigation. However, these are NOT independent inquiries.

- All the British nationals and residents who have returned from Guantánamo Bay have stated that they were visited by MI5 or MI6 while in detention there and while being rendered through Afghanistan and Pakistan.

- Also in February 2009, Defence Minister John Hutton, admitted that the British army in southern Iraq had illegally handed over two Pakistani suspects to the American authorities there in 2004, when Basra was under British administration. They were subsequently “rendered” to Afghanistan where they were tortured.

- Allegations of the British army handing over suspects to the US who were then “rendered” first emerged in early 2008 when former SAS soldier Ben Griffin spoke out. However, he quickly had a court order slapped on him by the Ministry of Defence to stop him saying what he knew.

- The Home Secretary and the Foreign Secretary recently refused to appear before a Joint Committee on Human Rights (parliamentary committee) hearing on allegations of MI5 involvement in the torture of British nationals in Pakistan. What does the government have to hide?

Take action!

Write to your MP and the Foreign Secretary and ask them to:

- demand a full independent public inquiry into Britain’s involvement in extraordinary rendition, including what the British government knew about the torture and rendition of British nationals and residents. The case of Binyam Mohamed would provide a good starting point.
- demand a full inquiry into the use of British territories by the US for extraordinary rendition
- demand an end to British involvement in extraordinary rendition and firm assurances, backed by evidence, that the UK is no longer involved in any way

Write to your MP: you can find out who they are and their email/postal address at www.theyworkforyou.com

Write to the Foreign Secretary:

Rt. Hon. David Miliband MP

Foreign Secretary,

Foreign and Commonwealth Office,

King Charles St ,

London SW1A 2AH

Email: private.office@fco.gov.uk

We have produced a sample letter for you, although it is better to write a letter in your own words mentioning some or all of the points raised above. Please let the London Guantánamo Campaign – london.gtmo@googlemail.com – know if you get a response from your MP or the Foreign Office

Rt. Hon. David Miliband MP
Foreign Secretary,
Foreign and Commonwealth Office,
King Charles St ,
London SW1A 2AH

Dear Mr. Miliband,

I would like to begin by thanking you for your recent efforts to bring Mr. Binyam Mohamed back to the UK from Guantánamo Bay. As thrilled as his family members, friends and supporters are to have Binyam back, there is a profound uneasiness that dampens our celebratory mood. This is the result not only of our increasing knowledge of the details of Binyam's suffering over the past 7 years, which included being beaten, threatened with rape, slashed repeatedly with a knife on his genitals, subjected to a mock execution and sensory and sleep deprivation, but also of details emerging regarding the British government's complicity in his inhumane and indeed illegal treatment, including his rendition to and torture in Pakistan, Morocco and Afghanistan. I urge you to commission a full independent public enquiry into these allegations.

Recent evidence has emerged to back up Mr. Mohamed's claims of UK complicity in his treatment, including a High Court ruling last month on a case brought by lawyers acting on his behalf. Amongst the corroborating evidence to emerge out of this process were documents alleging that MI5 telegrams were sent to US officials asking for specific questions about certain individuals to be put to Mr. Mohamed while being tortured. Unfortunately, the full details of these allegations have yet to see the light of day as a result of your efforts to stonewall the process.

These allegations are further corroborated by a recent report by Martin Scheinin (the UN Special Rapporteur on the Protection of Human Rights While Countering Terrorism), which highlights the illegal cooperation between Britain and the US on extraordinary rendition. The report also accuses Britain of cooperating with various sordid regimes that abuse prisoners (including Morocco, where Binyam Mohamed was tortured) and calls for much more careful oversight of the intelligence community.

Despite the government's attempts to stymie the efforts of those seeking the truth on this matter, Binyam's allegations of UK complicity in his rendition and torture have been further substantiated in comments made by Craig Murray, the former British ambassador to Uzbekistan. In an appeal to have his evidence heard by the Parliamentary Joint Committee on Human Rights, Murray wrote "I can testify that beyond any doubt the British government has for at least six years [had] a considered but secret policy of cooperation with torture abroad," and that, at an FCO meeting in March 2003, "I was told ... that it is not illegal for us to obtain

intelligence gained by torture, provided that we did not do the torture ourselves. I was told that it had been decided that as a matter of War on Terror policy we should now obtain intelligence from torture, following discussion between Jack Straw and Richard Dearlove” (the head of MI6).

Binyam’s claims are further supported by statements of all of the British nationals and residents who have returned from Guantánamo Bay. These statements include claims that they were visited by MI5 or MI6 while in detention there and while being rendered through Afghanistan and Pakistan.

Last year, Binyam’s case was referred to the Office of the Attorney General, Baroness Scotland, for investigation and possible criminal prosecution. She referred the evidence she has been given to the Director of Public Prosecutions. The Parliamentary Intelligence and Security Committee has also reopened its investigation. However, these are not independent inquiries and therefore do not meet the criteria of this demand for justice for Binyam and for all other British nationals and residents whose torture and illegal rendition were apparently carried out with the knowledge, if not support, of the British government.

Recently, the Home Secretary and the Foreign Secretary refused to appear before a Joint Committee on Human Rights hearing on allegations of MI5 involvement in the torture of British nationals in Pakistan. Their failure to cooperate with this parliamentary inquiry raises the question: What does the government have to hide? It is well-past time for the government to come clean on the role it has played in the numerous, well-documented incidents of torture, extraordinary rendition, and other practices carried out in the course of the ‘war on terror’ that have similarly violated international law and, as importantly, the British people’s trust in their government to protect the rights and well-being of its citizens and residents under all circumstances.

I look forward to your response and hope that you will take the necessary action.

Yours sincerely,

London Guantánamo Campaign

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Friday 13 March 2009