

Britain: Guantanamo detainee alleges “vindictive torture” and murder

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Lawyers acting for Moazzam Begg, a British citizen who is being held in Guantanamo Bay, have received a letter written by him alleging torture and murder at the US military camp.

Begg, 36-years-old, is one of four Britons amongst the camp’s 600 detainees, most of who have been held without trial for two years. He was originally detained at his home in Islamabad in February 2002 by Pakistani agents and handed over to US forces who held him at Bagram airbase, Afghanistan for one year before transferring him to Guantanamo Bay in February 2003.

In the letter, apparently written in July after he was told he would have access to a lawyer, Begg alleges that he has been subjected to “vindictive torture” and death threats, and describes witnessing US soldiers killing two men in Afghanistan.

The four-page handwritten letter is addressed to the US military command at Guantanamo Bay, with the request that it be copied to Begg’s lawyers and US and British authorities.

Under the heading, “RE: Supplementary Exposition (of Statement dated 5th July, 2004)”, Begg categorically denies that there are any grounds for his imprisonment.

“I am a law abiding citizen of the UK, and attest vehemently to my innocence, before God and the law, of any crime—though none has even been alleged. I have neither ever met Usama bin Laden, nor have been a member of Al Qaidah—or any synonymous paramilitary organisation, party or group. Neither have I engaged in hostile acts against the USA, nor assisted such groups in the same—though the opportunity has availed itself many a time, and motive.”

He explains that he has been held without charge for two-and-a half years, without “basic rights normally granted under the constitution of the USA, and international law,” and demands his immediate release to the UK, “together with all possessions: including all items and monies confiscated by US/Pakistani ‘agents’ from my residence in Pakistan on 31 January 2002.”

The letter continues, “In the likely event that these

demands are outrightly rejected or unnecessarily procrastinated, I demand the following rights under US law:-

1. All statutory rights available within US legislature, particularly with respect to foreign nationals.
2. Any and all charges/allegations be presented unambiguously, and written.
3. Full access to international phone calls in order to communicate with family and lawyers.
4. Full access to legal representatives of my own choice and appointment.
5. A fully inventoried list detailing all property seized (as mentioned above).
6. Regular and timely access to postal communication with family and a halt to the obscuring and withholding of mail from home.”

Begg demands an explanation for “my abduction, kidnapping and false imprisonment on 31st January 2002, under the auspices of US intelligence and law enforcement”, as well as the legal grounds on which he was forcibly removed to Afghanistan and “by what legal authority was property and money confiscated, leaving my wife and young children destitute and penniless, in their wake.”

He goes on to describe the conditions under which he has been held, including being subjected to solitary confinement since February 8, 2003.

He also demands answers as to “Why I was physically abused, and degradingly stripped by force, then paraded in front of several cameras toted by US personnel.”

Begg recounts how he has been denied information on the case against him, as well as being blocked from access to his family and legal representation.

Documents put to him by US law enforcement agents “were signed and initialled under duress”, and “under threats of long term imprisonment, summary trials and execution,” he continues. Begg describes interviews conducted “in an environment of generated fear, resonant with terrifying screams of fellow detainees facing similar methods”, culminating “with the deaths of two fellow detainees, at the hands of US military personnel, to which I myself was partially witness.”

Lawyers acting on Begg’s behalf released the letter last week, and called for the immediate repatriation of their

client. British solicitor Gareth Peirce said, “Whatever excuses have been given in the past for our government here to not take effective action, now this direct testimony from Guantanamo compels them to do what they failed to do, which is to achieve his return to this country from his illegal captivity in the US.”

Peirce pointed out that three Britons—Asef Iqbal, Ruhul Ahmed and Shafiq Rasul—who were returned from Guantanamo to Britain earlier this year had said they could not give any account of Moazzam Begg’s circumstances. “This letter makes clear why,” she continued.

“It is that he’s been held separately from the others. I would say it’s because he’s witnessed murder by the US. He has evidence of unlawful killing by the US military, and that evidence is clearly being suppressed.”

Two deaths at Bagram airbase have been officially classified as homicides, with autopsies indicating “blunt-force injuries”, but Begg’s lawyers believe he is referring to separate incidents.

Describing Begg’s letter as a “cry for help”, Peirce said it proved that it was impermissible for evidence supposedly obtained in Guantanamo to be used to justify the detention of foreign nationals in Britain under anti-terror laws.

On August 11 the London Court of Appeals ruled that “evidence” obtained by torture is admissible in UK law. The unprecedented decision came just one week after three Britons released from Guantanamo Bay in March published a 115-page dossier, “Detention in Afghanistan and Guantanamo”, detailing torture and sexual degradation by US forces at the camp and accusing British authorities of knowingly colluding in it.

Peirce continued, “We are requesting that the UK government immediately takes this evidence of torture to the United Nations demanding that the USA is held responsible.”

Begg’s US counsel Clive Stafford Smith described the decision by the US authorities to release the letter uncensored as either “by mistake or because someone in the US has a conscience.”

Last week, the *Guardian* newspaper revealed that Begg is one of four Britons who US authorities intend to place before so-called combatant status review tribunals this month. The other three are Feroz Abbasi, Martin Mubanga and Richard Belmar.

The decision overturns an undertaking made by the US in June 2003 that the Britons would not be subjected to the kangaroo court hearings, after the UK’s attorney general, Lord Goldsmith QC, said that the tribunals did not meet international standards for fair trials.

According to the *Guardian*, US documents show that the tribunal hearings—comprising three senior serving US

military officers—will be based on the presumption of guilt, i.e., that the four are enemy combatants, and that those appearing before them will be denied legal representation and have only a limited right to call witnesses in their defence.

Secondhand testimony will be allowed as evidence of guilt: “The tribunal is not bound by the rules of evidence such as would apply in a court of law. Instead the tribunal shall be free to consider any information it deems relevant and helpful ... it may consider hearsay evidence, taking into account the reliability of such evidence in the circumstances.”

If they are found to be enemy combatants, the four can continue to be held without charge or trial. So far, just one person out of the 53 cases heard by the tribunal has been released.

The US lawyer acting for Martin Mubanga, Brent Mickum, said that he has advised his client not to participate in the hearings: “They are backdoor trials. The personal representative is an agent of the government who can be compelled to testify against you at the tribunal and at any subsequent trial.”

Moazzam’s father, Azmat Begg, denounced the decision to place his son before the tribunal and demanded that the Blair government protest the action. “It is an insult to the British government to have an agreement with the Pentagon, who are now backing out and doing whatever they want to do,” he said.

The government continues to participate fully in the US abuses of the democratic rights of British citizens. It has refused to say if it has made any objection to the US decision. A spokeswoman for the Foreign Office said that it was not prepared to “give a blow-by-blow account” of its dealings with the US authorities.

The Foreign Office also denied that Begg had made allegations of abuse during visits by its representatives to the detention centre, and said that it had raised the latest allegations with “the American authorities who are investigating”.

For its part, the Pentagon claimed that, “The United States operates a safe, humane and professional detention operation at Guantanamo that is providing valuable information in the war on terror.”



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